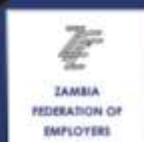




Ministry of Labour &
Social Security

ZAMBIA DECENT WORK COUNTRY PROGRAMME 2013 - 2016



International
Labour
Organization

Zambia Decent Work Country Programme (2013-2016)



FOREWARD

The Government of the Republic of Zambia envisions the promotion of equity and social justice among the Zambian people. Consequently, the Government recognizes employment creation as one of its key efforts to reduce poverty in order to promote equitable, inclusive and sustainable development.

At the highest level, the Government emphasizes total commitment to Decent Work. It is against this back ground that, the National Long Term Vision 2030 highlights employment creation as a priority for Zambia in order to realize its dream of being a middle-income country by 2030. In addition, the Government embarked on the process of reviewing the Sixth National Development Plan (SNDP) to accelerate growth and make it more relevant to the improvement of the livelihoods of the Zambian people with one of its key focus of promoting employment and job creation.

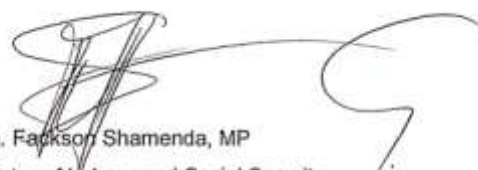
To this end the Industrialization and Job Creation Strategy (2012-2016) has been put in place with a view to create one million formal jobs through foreign and local investments in four growth sectors complemented by investments in labour market research. Other measures are outlined in the Medium Term Expenditure Framework (2013-2015), in which the Government plans to undertake various strategies aimed at accelerating job creation, such as structural reforms to introduce labour market flexibility, review of the National Employment and Labour Market Policy and implementation of the Zambia Decent Work Country Programme.

Therefore, the Zambia Decent Work Country Programme (ZDWDP, 2013-2016) is a coherent and focused programme grounded in national priorities as agreed with constituents and rooted in the national development agenda. The Government through the Ministry of Labour and social partners with support from the ILO agreed to the priorities and implementation of the ZDWCP to contribute to the promotion of DW in Zambia.

The ZDWCP was crafted by the Tripartite Partners involved in Employment and Labour issues, viz-a-vis the Government, Employers' and Workers' organizations, with technical support from the ILO.

I would like to warmly welcome the ZDWCP, and pay special gratitude to the ILO Country Director, Mr. Martin Clemensson, for his personal commitment in ensuring that the programme becomes a reality. I also wish to commend cooperating partners for their commitment towards supporting components of the programme.

Lastly, I wish to emphasize the need for the Tripartite Partners to continue to receive assistance in the area of capacity building as well as support in order to achieve Decent Work in every corner of the Zambian economy.



Hon. Jackson Shamenda, MP
Minister of Labour and Social Security

STATEMENT FROM EMPLOYERS' REPRESENTATIVES

The Zambia Federation of Employers welcomes the Second DWCP as the main vehicle to coordinate, harmonize and align efforts towards the realization of the Decent Work Agenda in Zambia.

The DWCP will contribute to the objectives of the National Development Agenda as articulated in the Revised Sixth National Development Plan through improved, gainful, secure and rights-based employment for youth, women and men. Furthermore, the DWCP is a framework/tool through which Employers, workers and Government can engage to strengthen Social Dialogue and the promotion of interventions for the benefit of workers and employers.

As employers, we are hopeful that the ILO Country Office for Zambia, Malawi and Mozambique based in Lusaka, ILO's field structure and the relevant sectors and departments in Geneva, such as ACTEMP and ACTRAV, will play their role in ensuring that the commitment demonstrated by the tripartite partners through this document will be carried out effectively with the ILO's support.

We remain committed to the principle of constructive social dialogue and are pleased to recognize the importance this has been given in this DWCP under the priority on "Effective social dialogue contributes to sound industrial relations and sustained economic growth in Zambia".

I wish to take this opportunity to thank all who have contributed to the realization of the Decent Work Country Programme for a job well done.



Mr. Alfred Masupha
President
Zambia Federation of Employers



STATEMENT FROM WORKERS' REPRESENTATIVES

As workers' organizations, Zambia Congress of Trade Unions (ZCTU) and Federation of Free Trade Unions of Zambia (FFTUZ), we fully support the second Zambia Decent Work Country Programme (Z-DWCP) and pledge to participate in all activities under the strategic objectives in relation to Fundamental Rights and Principles at Work; Employment; Social Protection and Social Dialogue.

We are convinced that the strategic activities which will lead to the tangible outcomes are well supported by International Labour Organization (ILO) and its partners locally and abroad. The Programme complements the core mandate of workers' organizations in the promotion of Decent Work and in its contribution to overall reduction of poverty in Zambia.

It is our sincere hope that the DWCP will strengthen our national development agenda, particularly in the labour market. We acknowledge that this DWCP is premised on a strong economic foundation supported by a positive economic outlook. The DWCP is therefore expected to provide a mechanism through which workers and citizens of the country will participate in economic development and at the same time share in the benefit of high economic growth.

As we endeavour to attain the Millennium Development Goals in 2015, we also focus on the post 2015 agenda to ensure that the DWCP plays a significant role in transforming the economy in order to ensure inclusive participation and reduce income inequalities in Zambia.

Mr. Leonard Hikaumba
President
Zambia Congress of Trade Unions

Ms. Joyce Nonde Simukoko
President
Federation of Free Trade Unions of
Zambia

STATEMENT FROM THE INTERNATIONAL LABOUR ORGANIZATION

Decent Work Country Programmes are the vehicles through which member States of the International Labour Organization, together with Workers' and Employers' Organizations coordinate and effectively implement various programmes and strategies aimed at enhancing Decent Work for All.

Zambia's second Decent Work Country Programme for the period 2013-2016 is firmly aligned to the country's revised Sixth National Development Plan and is responsive to the Industrialisation and Job Creation Strategy, making its relevance even more strategic at the highest policy level. The Tripartite partners have demonstrated their commitment to the process and to the principles that govern the Decent Work Agenda for Zambia with the bid to facilitate labour market governance under a distinct normative framework.

The consultative process has resulted in a Decent Work Country Programme that addresses emerging employment and labour related issues and challenges whilst recognizing the continued need for support in areas such as increasing compliance with International Labour Standards and positive gender outcomes. The ILO wishes to recognize the leadership and the effective social dialogue demonstrated by the Government of Zambia, through the Ministry of Labour and Social Security, the Zambia Federation of Employers, the Zambia Congress of Trade Unions and the Federation of Free Trade Unions of Zambia.

The ILO supported the DWCP formulation process, and will continue to support its implementation, monitoring and evaluation in the context of the wider UN Development Assistance Framework. This will be done by mobilising the necessary technical support within the ILO structure in the field and at its headquarters, and also by drawing on the complementary expertise of other UN agencies in Zambia.

I wish to recognize the commendable efforts of the ILO Lusaka Office's Programme Unit and Technical Cooperation staff, the Decent Work Team in Pretoria, the Regional Office for Africa - in particular the Monitoring and Evaluation Unit - and the various Technical Departments in Geneva for their support towards the development of Zambia's second Decent Work Country Programme.

The ILO wishes to encourage the DWCP's implementing partners to continue doing their important work to achieve the targets set in this country programme, so that the goal of decent work for all really does become a reality in Zambia.



Martin Clemensson
ILO Country Director for Zambia, Malawi and Mozambique



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List of acronyms and abbreviations

AIDS	Acquired Immune Deficiency Syndrome
ALMILN	Africa Labour Market Information Library Network
BDS	Business Development Services
CBP	Capacity Building Programme
CCA	Common Country Assessment (of UN)
DaO	Delivering As One
DBS	Direct Budget Support
DFID	Department for International Development (United Kingdom)
DWA	Decent Work Agenda (of ILO)
DWCP	Decent Work Country Programme
EU	European Union
FFTUZ	Federation of Free Trade Unions of Zambia
FNDP	Fifth National Development Plan
FRP	Feeder Road Programme
GDP	Gross Domestic Product
GIDD	Gender in Development Division
HIPC	Highly Indebted Poor Countries
HIV	Human Immuno Virus
ILO	International Labour Organization/Office
ILRA	Industrial and Labour Relations Act
ILSSA	Improving Labour Systems in Southern Africa
IMF	International Monetary Fund
IPEC	International Programme for Elimination of Child Labour
JASZ	Joint Assistance Strategy for Zambia
LED	Local Economic Development
LMI (S)	Labour Market Information (System)
MLSS	Ministry of Labour and Social Security
MMD	Movement for Multiparty Democracy
MSME	Micro, Small and Medium Enterprises
NAC	National AIDS Council
NELMP	National Employment and Labour Market Policy
NGOCC	Non-Governmental Organizations Coordinating Council
NORAD	Norwegian Development Agency
NYDC	National Youth Development Council
PAC	Project Advisory Committee
PF	Patriotic Front
PIU	Policy Implementation Unit
PLRF	Policy, Legal and Regulatory Framework
PPI	Private Participation in Infrastructure
PRSP	Poverty Reduction Strategy Paper
PSD	Private Sector Development
RBTC	Regular Budget for Technical Cooperation (of ILO)
ROAF	Regional Office/Bureau for Africa (of ILO)
SAP	Structural Adjustment Programme
SIDA	Swedish International Development Cooperation Agency
SLASA	Strengthening Labour Administration in Southern Africa
SME	Small and Medium Enterprises

Executive Summary

Zambia's economy has grown between 2000 and 2012, averaging about 6% per annum. However, poverty levels remain high with 60.5% of the population still living in poverty. The growth can be attributed to sound monetary and fiscal policies and growth in exports, primarily mineral exports. Zambia's dependence on the export of copper poses a major challenge as it makes the country susceptible to external shocks as was exposed during the 2008/2009 global financial crisis when copper prices collapsed as a result of reduced global demand for copper.

The formal sector contributes more to the GDP than the informal economy which absorbs over 80% of Zambia's labour force. Most youth and women work in the informal sector. Zambia's labour force increased by 2% from 4.9 million in 2005 to 5 million in 2008 and current estimates put the labour force at 5.8 million (2012). Total employment grew by 15.2% from 4.6 million in 2008 to 5.3 million in 2012, representing an employment-to-population ratio of 70 percent. It is estimated that 93% of persons with disabilities in Zambia were living below the poverty line because of limited access to education and training which reduces their opportunities to access the employment market. The main challenge is to meet the basic needs and create productive and decent work for the majority of those engaged in the informal sector.

Youth unemployment remains a key challenge in Zambia. Youths make up over 80% of total unemployment and they lack access to training and effective vocational guidance services that match industry needs. Child labour has persisted as a source of concern with the child labour rate in 2008 standing at 22.80%. There has been a remarkable improvement in the HIV and AIDS prevalence. Notwithstanding an increase in access to HIV services among young people and the adult population, especially voluntary counseling and testing services, the uptake to these services remains low.

There are challenges in the labour market in safeguarding the interests and rights of workers and realization of decent work for the majority of workers as coverage of social security, social dialogue, workers' rights and minimum wages are limited to formal sector workers, 11.3% of the employed (2012). Weaknesses in the national legal frameworks and poor enforcement of the laws all hamper efforts to promote workers' rights and decent work, particularly those of women workers.

A process of revising labour laws to redress the poor conditions of service, rationalize the administration of the labour ministry to effectively carry out its functions to promote the welfare of workers in workplaces whilst considering the interest of employers, and also to comply with the requirements of ILO Conventions, is ongoing. The country has ratified 43 ILO Conventions) aimed at improving labour standards and rights at work. A total of 39 Conventions are currently in force, including all eight Core Conventions. The country has an opportunity to use the fiscal space created over the years of sustained growth to commit resources to improve the quality of life for the majority of the population, particularly women and the youth.

The successful implementation of the Z-DWCP depends to a large extent on the effective participation of the social partners. A challenge faced in the implementation of the first generation Z-DWCP was the low funding and capacity limitations especially on the part of



partners. A capacity gap assessment to identify capacity needs of partner institutions will be undertaken. Capacity building activities to address the gaps identified will be supported under the ZDWCP. One gap that has already been recognized is the weak resource mobilization capacity within partner organisations.

The focus of the Zambian Government is translating economic performance into substantial reduction in poverty in the country. This requires measures to address the major problem of jobless growth in the formal economy. The Zambia Decent Work Country Programme contributes to attainment of the stated priorities of the Zambian Government and other cooperating partners. The ZDWCP supports the revised the SNDP whose major goal is to accelerate growth further and make it more relevant to improving the livelihood of the Zambian people, especially in the rural areas.

Government intends to review the NELMP so that it acts as a tool for leveraging employment and to provide a well-coordinated approach to address the employment deficit in the country and harmonize the NELMP to the R-SNDP, Industrialization and Job Creation Strategy, Micro, Small and Medium Enterprises (MSMEs) Development Policy, Youth Policy and its National Action Plan, Education and TEVET Policies and other relevant policies.

The JASZ II developed in 2010 builds on the priorities identified in the SNDP and aims to support Zambia's long term transition away from ODA by supporting the Government's capacity to mobilise and coordinate its own resources, analyse potential returns on investments and negotiate the best possible deals from regional and international markets. UNDAF 2011-2015 was designed to support Zambia in making progress towards achieving the Millennium Development Goals by 2015. There is strong commitment to achieving the Millennium Development Goals (MDGs), and to the UN Delivering as One in support of the Governments Development Agenda.

ILO is active in all five outcome areas, with a particular emphasis on Outcome 2 on Sustainable Livelihoods, which has a specific sub-outcome on Employment and Decent Work; as well as HIV and AIDS in relation to workplace issues; Human Development in relation to social protection, child labour, forced labour and trafficking in human beings; as well as Good Governance and Gender Equality with regards to issues of women's economic empowerment.

The Zambia Decent Work Country Programme (Z-DWCP) 2013-2016 is a result of a national consultative process. The ZDWCP priorities are a reflection of the constituents' priorities and ensure consistency with national development priorities whilst taking into account elements of the ILO's Decent Work Agenda for Africa.

There are four priorities under the Zambia-DWCP Priorities for 2013-2016, namely:

- Priority I:** Effective Application of fundamental principles and rights at work to support equitable and inclusive economic growth in Zambia
- Priority II:** Effective social dialogue contributes to sound industrial relations and sustained economic growth in Zambia
- Priority III:** More and better employment opportunities created, with focus on targeted groups
- Priority IV:** Strengthened social protection systems including enhanced HIV and AIDS work place response.

The four DWCP priorities will contribute towards Zambia's efforts to achieve the Millennium Development Goals, in particular MDG No. 1: Eradicate extreme poverty and hunger (with decent work included among its targets); No. 2: Achieve universal primary education; No. 3: Promote gender equality; No. 6: Combat HIV and AIDS and No. 8: on partnerships for development (with a target on strategies for decent and productive work for youth).

The DWCP for Zambia will additionally ensure that cross-cutting concerns (gender equality and equity, good governance and mainstreaming issues of HIV and AIDS) are addressed throughout the planning, implementation, monitoring and evaluation processes.

In order to ensure that the DWCP priorities are effectively implemented and monitored, there will be sustainable cooperation between the tripartite constituents, cooperating partners and the ILO. The implementation of the DWCP for Zambia will be spearheaded by the Ministry of Labour and Social Security in close collaboration with the Social Partners and with the technical support of the ILO. A DWCP Implementation Committee comprising of technical experts from the Government, social partners and other stakeholders will be established to monitor and oversee the timely delivery of DWCP outputs. A performance monitoring and evaluation system has been developed and is an integral part of this DWCP.

The total amount required to implement the ZDWCP 2013 to 2016 is estimated at US\$7,135,000.00 out of which US\$4,601,500.00 has been sourced, leaving a resource gap of US\$2,608,500.00.



1 COUNTRY CONTEXT

1.1 Socio-economic context

Zambia's economy has grown positively between 2000 and 2011 averaging about 6% per annum. During the same period, Zambia's per capita GNI reached US \$1,160 prompting the World Bank to reclassify the country from a least developed country to a lower middle income status. This growth is partially negated by a population growth rate of about 2.9% annum, and high poverty levels with 60.5% of the population still living in poverty. With 42% of the population living in extreme poverty and average daily incomes of less than US \$1 a day, the main challenge is to meet the basic needs and create productive and decent work for over 80% of Zambians who work in the informal sector, in particular the youth and women. Over the period 2012 to 2017 Zambia is projected to grow at an average of 7% per annum. Although this growth is robust and above the project global average of 2.3%, it still falls short of the required 8% needed to reverse poverty trends.

With respect to macro-economic performance, the forecast is that fiscal deficit will narrow to 2.4% of GDP in 2015, before picking up to 3.5% of GDP in 2016 and then falling again to 2.8% of GDP in 2017. During this period public debt is forecast to rise from an estimated 32.5% of GDP in 2012 to 34.5% of GDP by 2017. Inflation is expected to remain at 6.6% in 2013 as the inflationary impact of sizable wage increases in the public sector is countered by a decline in oil prices and slower growth in electricity prices (following large tariff increases towards cost-recovery levels). In addition, increase in output of the staple food, maize, exceeding domestic demand, helped to curb food prices, which account for 53% of the consumer price index. Over the period, exchange rates are expected to remain relatively stable, in turn putting in check inflation to single digit in 2013-17 by limiting growth in the price of imports.

This sustained growth and overall macroeconomic stability can be attributed to sound monetary and fiscal policies and the growth in exports, primarily mineral exports, and overall improvement in the investment climate. The Ease of Doing Business Ranking for 2013 put Zambia at 94 of 181 countries a drop of 4% from the 2012 rank. Zambia's political stability, reaffirmed by the peaceful transfer of power after the 20 September 2011 elections, increased the country's prospects to continue attracting foreign investment and support from cooperating partners towards social and infrastructure spending and smallholder farm support programmes. FDI has concentrated in the mining sector since the mid-1990s though other sectors, agriculture, manufacturing and construction, have also benefitted. What is missing are measures to stimulate backward and forward linkages between domestic economy and FDI for the country to benefit fully from skills and technology transfer, and access to markets, associated with FDI.

Zambia's dependence on the export of copper poses a major challenge as it makes the country susceptible to external shocks. Zambia's vulnerability to fluctuations in external demand was exposed during the 2008/2009 global financial crisis when copper prices collapsed as a result of reduced global demand for copper. GDP growth declined and job losses occurred predominantly in the mining sector, but also in other sectors, such as tourism. The consequences of the economic downturn was another reminder that diversification of the economy away from mining is a necessary condition for sustainable

economic growth. The rebound of copper prices due to the resurgence of demand for metals in China has rekindled growth prospects in Zambia.

The formal sector contributes more to the GDP than the informal economy which encompasses the most significant part of the labour force. While the large enterprise sector presents a huge market for various goods and services locally and globally, they continue to source their supplies from outside, while the micro and small enterprise sector continue to suffer from limited access to markets, finance, technology and management skills. Indications are that the mining sector in Zambia provides an annual market of at least US \$2.5 billion for manufactured goods and services. However, wholly domestic firms and SME sector account for only 4.4% of the market share. Multinational companies registered in Zambia account for about 80% while the remainder is taken up by overseas companies (ZMLCI Discussion Paper, 2012). This calls for measures prioritizing transforming the structure of the economy and integrating the mining sector more into the domestic economy through adequate and strong linkages with the SME sector.

Zambia's labour force increased by 2% from 4.9 million in 2005 to 5 million in 2008 and current estimates put the labour force at 5.8 million (2012). Total employment grew by 15.2% from 4.6 million in 2008 to 5.3 million in 2012, representing an employment-to-population ratio of 70 percent. The increase in total employment is largely attributed to informal economy employment which grew by almost 14 percent from 3.6 million in 2005 to 4.1 million in 2008 and reached 4.6 million in 2012. Formal employment, on the other hand, grew by a mere 3.0 percent from 495,783 in 2005 to 511,336 in 2008 and to 847,420 in 2012. Women rarely enjoy the privilege of formal jobs, which in general are scarce in Zambia. Male employment in the formal economy accounts for over 70% compared to less than 30% for females. The situation was different in the informal economy, where females constitute a slight majority of workers compared to males. Income inequalities are also considerably high in the formal sector, largely due to gender inequalities in access to employment opportunities and education. In relation to people with disabilities, the Southern Africa Federation for Persons with Disabilities (2008) estimated that 93% of persons with disabilities in Zambia were living below the poverty line because of limited access to education and training which reduces their opportunities to access the employment market.

In 2012, the labour force participation rate for the male population was lower (75.5%) than for female population (76.3%) and higher in rural areas. Between 2005 and 2008, the unemployment rate reduced from 16% to 7.9% (CSO, LFS 2005 and 2008 respectively), with no change from 2008 to 2012. However, the low unemployment rate does not reflect the nature of employment as most employment is in the informal sector and agriculture, sectors characterized by low productivity, underemployment and poor work conditions.

Youth unemployment remains a key challenge in Zambia. Youth make up over 80% of total unemployment and they lack access to training and effective vocational guidance services that match industry needs. A number of factors have undermined government efforts to adequately address youth unemployment. These include:

- absence of employment services that provide advisory services and career guidance,
- limited vocational skills training opportunities and counselling,
- lack of job-search assistance and job placements, as well as access to different types of training and internships,



- Limited opportunities for approaches that combine learning and earning through apprenticeships (both formal and informal) or subsidized employment in return for on-the-job training.

The 2012 ILC recognized the untapped potential of the youth and stressed the urgency for government, employers and workers to work together in a holistic approach, in which “both macro and microeconomic policies work in tandem to boost the employability of young people while ensuring that there are productive employment opportunities to absorb the skills and talents of young people”. Governments were called to assign the highest possible priority to youth employment and to develop integrated and time-bound national action plans for decent employment with measureable outcomes. The Patriotic Front government puts strong emphasis on employment and labour issues, particularly job creation, cost of doing business, productivity, and training opportunities that will empower the young women and men with the skills needed for the 21st century.

Given this scenario, policy emphasis should be on promoting decent jobs, especially in the informal economy whilst expanding on formal employment and skills development particularly for women, youth and persons with disabilities. A study on “Living Conditions among People with Activity Limitations in Zambia” undertaken in 2006 found that a significantly higher proportion of people with disabilities were currently unemployed, as compared to non-disabled persons. In 2013, the Government of Zambia with the support of the United Nations System will undertake a disability survey in order to gather data on the number of disabled persons and economic opportunities.

Child labour has persisted as a source of concern insofar as it affects the individual child’s mental and physical development. The child labour rate in 2008 was 22.80%, a remarkable improvement from the 36.43% in 2005. The HIV and AIDS pandemic has contributed to the increase in child-headed households when children lose both parents. Child labourers are not only withdrawn from school, but they are also more vulnerable to low-paying, insecure work in hazardous conditions. Due to their lack of skills, the poor job prospects continue into adulthood; and low earnings, insecurity and unemployment spells are likely to characterise their life long work experience.

While great strides have been made in reducing the HIV and AIDS prevalence to 14.3%¹, the socio-economic factors and gender inequalities often exacerbate the HIV epidemic. Women and girls are more vulnerable to HIV (16% of women compared to 12% of men). Women’s increased vulnerability is a result of unequal power relations and inadequate policy and legal frameworks to protect women’s rights. Gender - based violence is also becoming an increasing source of concern in as far as the transmission of HIV and AIDS is concerned. Notwithstanding an increase in access to HIV services among young people and the adult population, especially voluntary counseling and testing services, the uptake to these services is still very low.

Most households in Zambia lack basic amenities such as safe drinking water, basic health or clean energy sources and in most cases the deprivations are severe. In 2009, Zambia was classified amongst twenty four countries in the world with the lowest human development index and was ranked 164 out of 183 countries.

¹ UNGASS, 2011 Zambia Country Progress Report

In terms of demographics, the country has experienced a surge in its total population which now stands at 13.047 million (2010 Census of Population). This figure represents a 32% increase above the 9.9 million in the year 2000. With the annual population growth rate at 2.8 percent, population is projected to increase to above 15 million by 2015. Generally, Zambia has a young population with 46% below the age of 15 years. This imposes a huge burden on families to provide for their families. The burden is even higher in female headed households. At the same time this offer the country significant opportunities for re-aligning the education and skills training sector to the country's economic growth and human development aspirations. According to the 2008 Labour Force Survey, female-headed households accounted for 23% of households and were more common in rural than in urban areas (16% against 7% respectively).

Zambia has made significant strides in improving access to education and is on target to meet the Millennium Development Goal on universal primary education. The net enrolment rate improved significantly from 68% in 2000 to 94% in 2011 following the introduction of free primary education, while the completion rate at Grade 7 is now over 94%, from 91% in 2010 (MoE, 2010). Due to limited space at Grade 8, less than half of the primary school graduates are enrolled. This situation is compounded at high school level where only half of the upper basic graduates are accommodated in the limited space available with net enrolment in 2011 standing at 29% of 16-18 year olds. On the other hand, secondary school graduation rate has over the years improved from 12 % in 1998 to 26% in 2010 and 32% in 2011(MoE). The rate is higher among males and in urban areas.

The increased secondary graduation rate is undermined by the lack of places at tertiary level where only 3.5 percent of the eligible age group find places in tertiary institutions. The link between quality education and decent work opportunities has been well established, and young people who are less educated and skilled are among the most disadvantaged in the labour market. Zambia, with its youthful population, should focus on measures to support education and skills training for decent employment for young women and men.

Safeguarding the interests and rights of workers is a precondition for increased productivity and attainment of sustainable economic growth. There are challenges in the labour market regarding realization of decent work for the majority of workers. Coverage of social security, social dialogue, workers' rights and minimum wages are limited to formal sector workers, 11% of the employed. Weaknesses in the national legal frameworks and poor enforcement of the laws all hamper efforts to promote workers' rights and decent work, particularly those of women workers.

The main Social Dialogue structure in Zambia is the Tripartite Consultative Labour Council (TCLC), established under the Industrial and Labour Relations Act. A major challenge is the infrequency of meetings of the TCLC even though the Act stipulates that the TCLC shall meet at least twice annually. The TCLC has traditionally only concentrated on discussing labour laws during the reform processes. It is up to the members of the TCLC to determine the matters to be discussed in the Council. Inadequate research capacities in the member organizations, and the fact that the TCLC does not have a permanent secretariat with a research unit tasked to carry out studies and function as the databank for the TCLC, further contribute to the narrow scope of issues discussed in the Council. Additionally, the Government representation in terms of various ministries has not been adequate in TCLC meetings. This has further limited the scope of issues discussed. The importance of social



dialogue was reaffirmed by the social partners during the ILO/IMF/GRZ National Dialogue towards a *“Towards a New Growth Strategy for Employment, Decent Work and Development in Zambia”* with a commitment from the Government to promote dialogue structures that ensures that all partners contribute to the decision - making processes of the economy as well as the labour market.

Clearly, the test for the country is how to use the fiscal space created over the years of sustained growth and commit resources to improve the quality of life for the majority of the population, particularly women and the youth. The diversification of the economy beyond mining activities continues to be a central requisite as well as the promotion of enterprises and the graduation of those in the informal economy to formal economy. Measures to improve labour productivity, promote decent jobs and quality of human capital are critical. So are the measures to promote gender parity in employment and the wider economy, competitiveness, increased access to health, education, water and sanitation, roads and establish a universal social protection floor to protect the most vulnerable.

1.2 Labour and Employment legislation, ILO Conventions and Recommendations

The country has ratified 43 ILO Conventions (see Annex 1) aimed at improving labour standards and rights at work. A total of 39 Conventions are currently in force, among them all eight Core Conventions².

The key national labour laws include:

- Employment Act (Chapter 268)
- Employment (special provisions) Act (Chapter 270)
- Employment of young persons and children Act (Chapter 274)
- Minimum Wages and Conditions of Employment Act (Chapter 276)
- Industrial and Labour Relations Act (Chapter 269)
- Factories Act (Chapter 441)
- National Pension Scheme Act, Number 40 of 1996
- Zambia National Provident Fund (Maternity Grant) Regulations, Statutory Instrument 192 of 1973
- Zambia Institute of Human Resource Management Act No. 11 of 1997
- Workers' Compensation Act 10 of 1999
- Occupational Health and Safety Act of 2010.

A process of revising labour laws, also to comply with the requirements of ILO Conventions, is ongoing. The Patriotic Fronts government aim is to redress the poor conditions of service for Zambian workers. In order to address this, the government intends to:

- Review the Employment Act so as to introduce clear provisions that will govern casualization of labour and outsourcing of services;
- Review the Minimum Wages and Conditions of Employment Act
- Review the retirement age

² The eight Core Conventions are: Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); Right to Organize and Collective Bargaining Convention, 1949 (No. 98); Minimum Age Convention (C. 138); and Worst Forms of Child Labour Convention (C. 182); Forced Labour Convention (C. 29); Abolition of Forced Labour Convention (C. 105); Equal Remuneration Convention (C. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

- Carry out a comprehensive review and amendment of the current labour related legislation, such as the Factories Act, which are outdated
- Rationalize the administration of the Ministry of Labour and Social Security to effectively carry out its inspectorate functions so as to promote the welfare of workers in workplaces;
- Domesticated and implement International Labour Standards that Zambia is a party to and
- Re-establish the employment service to maintain a register of available skills in the country.

1.3 Roles of Social Partners

The successful implementation of the Z-DWCP depends to a large extent on the effective participation of the social partners.

1.3.1 Employers Organizations

The Zambia Federation of Employers (ZFE) is the most representative and central employers' body in Zambia. ZFE was founded in 1955 (then the Federation of Employers of Northern Rhodesia) as the first organization of employers. ZFE draws its mandate from registered membership of 225 companies. The body's primary role is to protect the interests of employers on social and labour policy in Zambia by putting in place functional and efficient internal structures and systems; by delivering services that meet the demands of its members and by ensuring financial sustainability.

The employers' organization has actively participated in the labour law reform processes and achieved significant strides in enhancing social dialogue, participating in various trainings including ILS training on reporting, and participating in the consultations for the National Study on Social Dialogue.

1.3.2 Workers Organizations

Zambia has two apex trade unions, the Zambia Congress of Trade Unions (ZCTU) and the Federation of Free Trade Unions of Zambia (FFTUZ). ZCTU was established in 1964 and has 32 affiliates with a total membership of 340,000, drawn from all sectors of the formal economy. FFTUZ, registered in 1998 has 11 affiliates with a total membership of 50,000, drawn from various sectors of the formal economy, including the United House and Domestic Workers Union of Zambia.

Over the years, these trade unions have actively participated in the labour law reform processes. They have continued to make remarkable strides in promoting social dialogue. They have also participated in various trainings including ILS training on reporting and participated in the consultations for the National Study on Social Dialogue.

1.3.3 Partners Capacity

A challenge faced in the implementation of the first generation Z-DWCP was the lack of appreciation of labour issues by several ministries in the Government, in particular the Ministry of Finance and National Planning. Without support from key ministries in the



Government, the attainment of priorities was considered likely to be hampered. The major limitation faced was inadequate funding despite contributions from various donors and the Ministry of Labour and Social Security. Without appreciation of labour issues by the Ministry of Finance and National Planning, the amount of resources allocated will not increase substantially. In order to enhance broader acceptance of the Z-DWCP, it was recommended that the next generation Z-DWCP should be subjected to the process that other national policy documents undergo including approval by Cabinet. Furthermore, with the objective of giving the Z-DWCP a legal mandate, the DWCP Advisory Committee should be linked to the Tripartite Consultative Labour Council.

Delivery of outputs was greatly affected by low funding and capacity limitations especially on the part of partners. The government, employers, workers and other partners did not have the financial, technical and human capacities to implement the key elements of the DWCP. The knowledge management and sharing in the ZDWCP was moderately satisfactory as there were very few reports generated on the various components of the programme, and sometimes progress reports were not submitted at all. This was compounded by the inadequate human capacities in partner organizations and in inconsistencies in staff who participated in various meetings/activities. This resulted in knowledge gaps which lead to irregular reporting on progress. Dedicating focal persons to attend activities and meetings will ensure consistent information sharing. In addition a comprehensive implementation plan, a monitoring and evaluation framework that is harmonized with respective partner monitoring frameworks, including the framework of the national development plan from the start of implementation was recommended in final evaluation. Partners nevertheless acknowledged training, training materials, advocacy and logistical support to conduct workshops and seminars that ILO provided. Skills acquired in training programmes provided by the ILO have sometimes not been utilized effectively because partner organisations have lacked the resources to impart the skills acquired to the target group.

There is need to identify capacity inadequacies in the partners which should be the focus of capacity building efforts. A capacity gap assessment to identify capacity needs of partner institutions will be undertaken. Capacity building activities to address the gaps identified will be supported under the ZDWCP, and are incorporated in the implementation plan and monitoring and evaluation framework. One gap that has already been recognized is the weak resource mobilization capacity within partner organisations. This will require increased focus on institutional capacity building of the ILO constituents and other national partners. A well-defined capacity development plan with clearly defined and measurable indicators should be incorporated in the IP and M&E of the new ZDWCP.

2 TOWARDS A DECENT WORK COUNTRY PROGRAMME FOR ZAMBIA

2.1 Decent Work Deficits in Zambia

Decent work deficits are defined as “the absence of sufficient employment opportunities, inadequate social protection, the denial of rights at work and shortcomings in social dialogue”. Decent work deficits in Zambia are evident in all four strategic objectives that comprise the Global Decent Work Agenda i.e. 1) Fundamental Principles and Rights at Work; 2) Employment Promotion; 3) Social Protection; and 4) Social Dialogue. The Decent Work Agenda, which was introduced in 1999, was adopted at the global level by the United

Nations World Summit in 2005 and by the Ministers at the Economic and Social Council of the UN (ECOSOC) in 2006. The 2008 Declaration on Social Justice for a Fair Globalisation re-affirmed the four Pillars of the Global Decent Work Agenda. It states that the four strategic objectives are inter-linked, inter-related and mutually supportive because one strategic objective cannot be realised without the other. The decent work agenda provides a rights-based lens for assessing the ILO's mission to promote human rights and social justice and provides a framework to analyse and respond to challenges faced in promoting decent work for all.

2.1.1 Pillar I: Fundamental Principles and Rights at Work

Zambia has ratified a number of ILO conventions that promote the Fundamental Principles and Rights at Work, but the extension of the provisions of the Conventions to the informal economy remains a challenge for the country. Furthermore, the enjoyment of labour rights depends on the ability of the labour administration to promote and enforce the fundamental principles and rights at work. In Zambia, the Ministry of Labour, responsible for labour issues, is inadequately funded which puts constraints in its efforts to carry out its mandate. The Ministry also only has 23 offices around the country which reflect that the larger part of the country is not covered by labour inspections.

Whilst Zambia is commended for ratifying all the seven ILO Conventions related to Freedom of Association and Collective Bargaining³, existing legislation, such as the Industrial and Labour Relations Act need to be conformed to ratified Conventions to ensure their application.⁴

The Government of Zambia has begun the process of revising the country's employment and labour legislation in order to construct a legal framework that will play a positive role in protecting fundamental human rights at work, in promoting employment and economic growth, and in improving labour market performance. The Ministry of Labour has further proposed to Cabinet to ratify five additional ILO Conventions.⁵

2.1.2 Pillar II: Employment Promotion

Given the levels of informality of employment with its consequent low wages, poor working conditions and lack of protection of rights, a strategy to formalise the informal economy should be among the main priorities in Zambia. Providing incentives for formalisation and social protection coverage are some of the steps to be taken to transform the informal economy.

Unemployment and underemployment continue to be a major challenge. Youth unemployment, although a critical challenge to address, is an opportunity for countries, such

³ C11: Right of Association (Agriculture) Convention, C87: Freedom of Association and Protection of the Right to Organize Convention, C98: Right to Organize and Collective Bargaining Convention, C135: Workers' Representatives Convention, C141: Rural Workers' Organisations Convention, C151: Labour Relations (Public Service) Convention, C154: Collective Bargaining Convention

⁴ Recent direct requests and observations by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in relation to Zambia have referred to, inter alia, the need to bring the Industrial and Labour Relations Act in conformity with the two freedom of association Conventions. "To promote Fundamental Principles and Rights at Work in Zambia" there is need to introduce a compulsory formal public education system as well as improve the quality of education in line with the two Conventions concerning Child Labour; the implementation of the Anti-Human Trafficking Act in conformity with the Forced Labour Conventions; introduction of a legal guarantee for equal remuneration between men and women for work of equal value, as well as legal provisions prohibiting sexual harassment.

⁵ The two Labour Inspection Conventions Nos. 81 and 129, the Private Employment Agencies Convention No. 181 as well as the two Occupational Safety and Health Conventions Nos. 155 and 176.



as Zambia to absorb the youth into the labour force and allow them to contribute to socio-economic growth. The youth need to be viewed as a key source to economic growth rather than as a burden or signal of increasing challenges. Women and people with disabilities and those living with HIV constitute the major vulnerable groups in the labour market.

The weak productive linkages present a missed opportunity for the national economy to build its domestic industry and thereby generate more domestic led growth and decent employment. The inadequate diversification of the economy and over-dependence on copper production reinforces formal sector unemployment in Zambia. Other growth sectors, such as manufacturing, agriculture and agro-processing, tourism and the creative arts and the SME sectors should be supported to spur job-rich growth. The focus on these sectors is consistent with the SNDP and the Patriotic Front's policy directions. Further, domestic investment should be encouraged through accelerated means and Foreign Direct Investment (FDI) linked to the domestic economy for example through business linkages between large enterprises and MSMEs with a view to the country benefiting optimally from FDI.

Continued efforts to build a conducive environment for the establishment and operation of formal MSMEs is therefore key for the diversification of the economy as well as for the generation of more formal and decent employment. More needs to be done to improve business regulations, promote trade across borders, and reduce the burden of permits and licenses among other measures. In addition, institutions, both public and private, need to be strengthened to provide appropriate services.

Inadequate attention given to the informal economy as a breeding ground for future formal enterprises and employment is another policy dilemma. Rather than being supported and encouraged, informal economy operators face prohibitions to carry out their work.

Low productivity has been identified as another factor affecting employment levels in Zambia, especially in the agriculture sector where the bulk of those engaged are subsistence agriculturalists. This contributes to gross underemployment, low incomes and subsequently high poverty level in rural areas. Employment-intensive approaches should be explored in areas suitable for these interventions.

2.1.3 Pillar III: Social Protection

The structure of the Zambian Labour market and the large number of jobs in the informal economy leave the majority of workers without basic forms of social protection. The existing social security schemes (NAPSA, PSPF LASF and private social schemes) cover only those in the formal sector which is less than 10% of workers and their families. The majority of Zambians thus have little income protection in times of chronic illness, disability or old-age.

The social security schemes in Zambia face specific challenges, mainly relating to adequacy of retirement benefits and large-scale deficit among some of the schemes. Government has decided to rectify these problems by reviewing the overall structure of the employment-related social security in Zambia, ultimately aiming at increasing benefits and closing deficits.

The Employment Act, minimum wage legislation and various collective agreements allow for maternity leave and remuneration during maternity leave. Presently, the law allows for 12

weeks with full pay upon completion of two years of continuous service or after two years since the last maternity leave. In Zambia, employers' bear the costs of maternity leave directly, whilst in the past, the burden was shared between the employers and the social security scheme.

The Workers' Compensation Act provides compensation for disabilities and diseases suffered during the course of employment. The Act covers all workers in Zambia for accidents or disease in and outside Zambia. The biggest challenge to maintaining a safe work environment in Zambia lies in the inadequacies of the institutions tasked to enforce regulations. Enforcement of safety and health legislation is severely constrained by inadequate funding resulting in shortage of support infrastructure to carry out inspections, thus limiting the ability to perform the statutory functions.⁶

2.1.4 Pillar IV: Social Dialogue

Social dialogue is critical in building a more equitable and sustainable economy. This requires respect for trade union rights, setting up the right mechanisms for dialogue across social and economic policy areas, and building the capacity of constituents to participate in such dialogue.

The Tripartite Consultative Labour Council (TCLC) is the main Social Dialogue structure in Zambia. Membership of the TCLC is prescribed by the Industrial and Labour Relations Act, and consists of the Minister and an equal number of members representing trade unions, employers and the Government. Outside of the TCLC, collective bargaining remains an important way of reaching comprehensive agreements on conditions of work, though this is confined to workers with membership to trade unions. It is, however, important to note that whilst the number of collective bargaining agreements grew steadily from 2006 to 2009, there was a slight decline in numbers from 2009 to 2010 (183 agreements in 2009 compared with 176 agreements in 2010).⁷

2.2 Government's and Cooperating Partners' Policies and Programmes

There are a number of actors in the Zambian employment and labour sector. The challenge facing the Zambian Government is translating economic performance into substantial reduction in poverty in the country. In order to address the jobless growth in the formal sector, Government focus is on job creation, skills training, self-employment opportunities and quality of jobs. In this respect, the Decent Work Agenda and the Zambia Decent Work Country Programme contributes to attainment of the stated priorities of the Zambian Government and other cooperating partners. The strategic fit of the ZDWCP to the government and cooperating partners' development and assistance frameworks are summarized in Annex 2. Below is an outline of the interfaces between employment creation and labour issues on the one hand, and Zambia's international and national development frameworks on the other.

⁶ The inability of government departments to enforce the safe work environment laws due to inadequate implementation capacity was also cited as contributing to the deteriorating situation in occupational safety and health by Silane K Mwenechanya in "An Issue Paper prepared for the UNDP – Commission on Legal Empowerment of the Poor, August, 2007. Zambia Decent Work Profile, 2011.

⁷ Zambia Decent Work Profile, 2011.



2.2.1 Revised Sixth National Development Plan (R-SNDP)

The Sixth National Development Plan (SNDP) 2011-2015 was adopted by the Government in 2011. The plan concentrated on Infrastructure and Human Development, placing emphasis on growth sectors such as Agriculture, Mining, Tourism, Manufacturing and Commerce & Trade. Employment issues were covered mainly under the Macro-economic Pillar of the SNDP, but were also found in other parts of the development plan. Employment issues were not accorded a dedicated chapter in the SNDP as was the case with the Fifth National Development Plan (FNDP), and this was a source of concern among the social partners at the time of the adoption of the SNDP.

However, following the change of Government in September of 2011 from the Movement of Multiparty Democracy (MMD) to the Patriotic Front (PF) Government, the new government embarked on aligning the plan to its election manifesto. Consequently, in 2013, the new Government revised the SNDP and in its place developed the Revised Sixth National Development Plan (R-SNDP) 2013- 2016. The major point of departure in the revised plan was that unlike in the SNDP where employment issues fell mainly under the Macro-economic Pillar of the SNDP, Employment issues have been accorded a dedicated chapter in the R-SNDP.

The major goal of the revised plan is to accelerate growth further and make it more relevant to improving the livelihood of the Zambian people, especially in the rural areas. To effectively achieve this, programmes that positively impact on the well-being of the Zambian people will be implemented through the following overarching objectives:

- Promote employment and job creation and rural development, through targeted and strategic investments in sectors such as science and technology, agriculture and energy development;
- Human development by investing in the social sectors vis-a-vis health, education and water and sanitation; and
- Infrastructure development to enhance the growth potential of the economy.

The Plan identifies the following as sectors that are vital towards the attainment of the overarching objectives of the plan, namely, information and communication technology (ICT), science and technology, agriculture, energy, infrastructure development, health, education and water and sanitation.

2.2.2 Government's Policy Indications

Government has put in place relevant measures to accelerate wealth and decent job creation, through creating a more enabling business environment, especially for women and youth to create and consolidate opportunities for employment and income generation. These should be guided by comprehensive policy leadership and concrete policy measures within the framework of the MSMEs Development Policy and Private Sector Development Reform Programme (PSDRP). The programmes of socio-economic empowerment are envisaged to target young people and women in particular, and to eradicate all forms of discrimination against women.

The current government, in its Manifesto 2011/16 has four core development priorities, namely, education development, health services, agriculture development, as well as local government and housing development. These will be supported by infrastructure development, social protection, commerce, trade and industry, energy and tourism. Employment and job creation feature as cross-cutting themes in these sectors, and as the major aim of the new policies.

The Government plans to incorporate young women and men in national development by;

- Expanding educational facilities and vocational training to absorb all school leavers;
- Collaborating with industry to provide learnership/apprenticeship practical training;
- Facilitate access to finance and to markets for the young women and men;
- Introducing district vocational training centres in order to enhance skills training and create self-employment opportunities.

It further seeks to promote the rights, role and welfare of persons with disabilities and respect for their dignity through various initiatives that also include the domestication and implementation of the United Nations General Assembly Convention on the Rights of Persons with Disabilities ratified by Zambia in 2010. This includes, among others, the introduction of legislation to guarantee the right to free and appropriate education and the enactment of a new law to replace the current Persons with Disabilities Act (1996).

In order to address gender imbalances and empower women, the Government intends to introduce legislation that will facilitate:

- achievement of the eradication of all forms of discrimination against women, including the creation of equal employment opportunities for men and women;
- domestication of international protocols relating to women and gender equality development as well as ratification of the Maternity Protection Convention, 2000 (No. 183) and Domestic Workers Convention, 2011 (No. 189) ;
- enhancement of educational opportunities and promote the rights of the girl child particularly in removing the impediment that inhibit their progression at present;
- introduction of programmes to enhance women's participation in national development in collaboration with relevant non-governmental organizations; and,
- equipping women with the skills and business enterprise know-how and the financing needed for self-employment and entry into the formal sector.

In response to this intention the Anti-Gender Based Violence Act was enacted in 2011, the Southern African Development Community (SADC) Protocol on Gender and Development was signed and the Government embarked on the review of the National Gender Policy in 2012.

With regards to social protection, the Government seeks *to adopt a basic social protection policy, with provisions for social safety net and protection programmes as well as specific measures for vulnerable groups such as:*

- Extension of old age pension to cover the entire population over 65 years followed by child benefits, healthcare coverage and unemployment benefits. Make social cash transfer schemes sustainable through increased Government funding.
- Extending the pension schemes, making sure that all workers benefit from them.



- Establishing a high level unit at Cabinet Office to oversee the implementation of the cross-cutting policy.

The Government puts emphasis on commerce, trade and industry as a key element for economic growth and job creation, as well as domestic investment at the core in addition to foreign direct investment. The Government thereby commits itself to making sure that the business environment is enabling for domestic businesses to grow, including access to finance, land, energy etc. To facilitate smallholder farmers to make meaningful investments and improvements in rural areas, the Government is in the process of drafting legislation and institutional framework whose objective is to foster land tenure reforms and enhance security of tenure under customary land. With legal provisions for registering rights and interest over land under customary tenure, farmers are likely to use such land as collateral for formal credit. Tourism and manufacturing are also seen as major contributors to job creation.

The year 2012 saw a number of policy actions to make these pronouncements actionable. The Government launched the Industrialization and Job Creation Strategy under which foreign and local investments are expected to facilitate the creation of 1 million formal jobs in the next five years. The jobs will be generated from four growth sectors identified as having greatest potential to achieve the objectives of promoting growth, employment, value addition and expanding Zambia's economic base. The identified sectors are Agriculture, Tourism, Construction and Manufacturing. The number of potential direct jobs to be created in each of the identified sectors is: Agriculture (550,000), Tourism (300,000), Manufacturing (89,000) and construction (85,000). These sectors have the highest requirement for labour and the potential to be highly competitive.

In order to create a robust financial system, the Government made it mandatory for all domestic transactions to be conducted in Kwacha through the issuance of Statutory Instrument No. 33 of 2012 and the rebasing of the Kwacha. The rebased currency is aimed at simplifying financial transactions and became legal tender from 1st January, 2013. In the same year, the Government successfully issued an inaugural 10 year Euro-Bond of US \$750 million. The proceeds of this bond will finance growth enhancing infrastructure projects. The Bank of Zambia introduced the Policy Rates to guide interest rates as a way of reducing bank lending to encourage cheaper lending to the productive sectors of the economy. The issuance of the statutory Instrument No. 55 of 2013 which seeks to monitor balance of payments and other financial flows is also an attempt to strengthen the domestic economy. But this will only be achievable if there are strong productive linkages between the large foreign firm in all the growth sectors and the domestic SME sector.

In 2012, the Government embarked on finalizing the development of a multi-sectoral Social Protection Policy. The Policy is expected to outline the Governments social protection strategies and more targeted interventions to reduce poverty and vulnerability in an integrated, coherent, coordinated and sustainable manner. The priority of this policy is to reduce extreme poverty with emphasis on long-term and predictable interventions. This reflects the Government's commitment to strengthening the social protection policy and extending the coverage and performance of existing and new social protection schemes. The R-SNDP includes commitments to review and develop a National Social Protection

Policy, to introduce a universal old-age pension, to scale-up child and family benefits under the Social Cash Transfer Schemes and to develop a National Social Health Insurance.

In its Election Manifesto 2011/15, the Patriotic Front committed to enacting a Social Protection Policy that “guarantees all citizens access to basic services, and provides additional support to those who face special challenges in meeting their basic needs. The Cash Transfer Scheme currently cover 28,340 individuals in 8 districts, while scaling up to further 7 districts is planned by 2015. Under the scheme, various mechanisms for targeting and benefit are being employed, e.g. targeting by poverty status, location, age or household composition. The impact on poverty, nutrition, school attendance and overall socio-economic development of the communities are likely to be positive once implemented. Government also plans to strengthen existing national programmes such as the Public Welfare Assistance Scheme (PWAS) and by having removed user fees for health services in rural areas. This was meant to lower out of pocket expenditures in accessing health services, which lock-out a considerable number of the population from accessing quality health care, increasing their vulnerability.

Some significant changes have happened recently in relation to the minimum wages. In 2010, with the introduction of statutory instruments (SI) 45 – 47 of 2012, domestic workers were for the first time brought into the sphere of legislation in Zambia, with a minimum salary (ZMW 250)⁸; other working conditions such as sick leave and maternity leave without pay are included in the minimum wages Statutory Instrument. On 4 July 2012, the Government of Zambia announced an increase in the minimum wage for domestic workers, shop workers and general workers, who are not represented by any trade union and not covered by collective bargaining agreements. The new minimum wages were announced through Statutory Instruments 45, 46 and 47. The wage increment was approximately 67%, i.e. from ZMW 250 to ZMW 420 for domestic workers and from ZMW 420 to ZMW 700 for general workers. A major complaint on the minimum wage is that the wage is not regularly reviewed and they are set very low and are not sufficient to meet workers’ basic needs. There is also a call for the development of a Sector Based Minimum Wage.

2.2.3 National Employment and Labour Market Policy

In addition to this strategic framework, Zambia has an overarching National Employment and Labour Market Policy (2004) aimed at Increasing Employment with Decent Working Conditions. However, labour issues will only be realised with adequate budgetary resources and strong policy leadership and coordination. The National Employment and Labour Market Policy that Government adopted in 2004 has not been implemented in a systematic manner, largely due to the absence of adequate resources that have hindered the implementation of crucial programmes outlined in the policy.

Government intends to review the policy so that it acts as a tool for leveraging employment creation through promotion of apprenticeship, offering incentives to the private sector for employment of more women and persons with disabilities. The revision also provides the opportunity to provide a well-coordinated approach to address the employment deficit in the country and harmonize the NELMP to the R-SNDP, Industrialization and Job Creation Strategy, Micro, Small and Medium Enterprises (MSMEs) Development Policy, Youth Policy

⁸ In October 2011, approximately 4.9 Zambian Kwacha corresponded to 1 US dollar.

and its National Action Plan, Education and TEVET Policies and other relevant policies which affirm Zambia's commitment to ensuring that labour rights are enjoyed by all. These include the National Gender Policy, the National Child Labour Policy, the Anti-Human Trafficking Act and Policy and the draft National HIV and AIDS workplace policy.

2.2.4 Joint Assistance Strategy for Zambia II (JASZ II)

The JASZ I developed in 2007 provided guidance for Cooperating Partners to manage their development cooperation in line with both the Paris Declaration on Aid Effectiveness and the FNDP. In 2011, in response to the changing development context in Zambia and the shortcomings identified in the March 2010 evaluation, JASZ II was developed. It builds on the priorities identified in the SNDP and aims to support Zambia's long term transition away from ODA by supporting the Government's capacity to mobilise and coordinate its own resources, analyse potential returns on investments and negotiate the best possible deals for itself from regional and international markets. It also aims to improve the flow and quality of information and dialogue between Cooperating Partners (CPs), GRZ and non-state actors (NSAs). CPs will support priorities within the SNDP through Poverty Reduction Budget Support (PRBS) and sectoral and cross-sectoral programmes and projects. CPs will strive to align to GRZ's preferred modes of aid delivery, where appropriate, and it is expected that CPs will programme new assistance within this common framework.

GRZ and CPs will clarify the criteria and process for entering into and exiting sectors to ensure that long-term planning for sectors is improved and the graduation of some CPs as a result of Zambia's achievement of "lower – middle - income country status is smooth. At the same time, GRZ and CPs will work to maintain flexibility in implementing a Division of Labour (DoL) in which CPs streamline and coordinate their engagement at sector level so that newly available resources and newly active CPs can enter into sectors, and CPs with relatively greater technical capacity take a lead role where appropriate.

2.2.5 United Nations Development Assistance Framework (UNDAF) 2011-2015

UNDAF 2011-2015 was designed to support Zambia in making progress towards achieving the Millennium Development Goals by 2015. UNDAF has five outcome areas, namely:

- i. HIV and AIDS
- ii. Sustainable Livelihoods (encompassing Food Security and Decent Employment)
- iii. Human Development
- iv. Climate Change, Environment and Disaster Risk Reduction and Response; and
- v. Good Governance and Gender Equality.

ILO is active in all five outcome areas, with a particular emphasis on Outcome 2 on Sustainable Livelihoods which has a specific sub-outcome on Employment and Decent Work; as well as HIV and AIDS in relation to workplace issues; Human Development in relation to social protection, child labour, forced labour and trafficking in human beings; as well as Good Governance and Gender Equality with regards to issues of women's economic empowerment.

2.2.6 Delivering As One in Zambia

There is strong commitment to achieving the Millennium Development Goals (MDGs), and to the UN Delivering as One in support of the Governments Development Agenda. Zambia formally became a DaO self-starter in 2011. During 2012, eight UN joint programmes were underway, joint policy engagement and a One UN Voice on core issues have been advocated and common operations underway with One UN HACT, ICTs and knowledge platforms implemented. Zambia was selected as a Post 2015 dialogue country, and a campaign and outreach across the country was initiated. The Zambia Consultations on “Acceleration to Attain the MDGs: 2015 and Beyond” was launched in October 2012. These combine a strong MDG acceleration effort with a dialogue on the post-2015 *‘Future We Want’*. (UNCT Annual Report, 2012).

2.3 Cooperation with ILO – lessons learned

Under the Z-DWCP 2007-2011, ILO supported the Government of Zambia through various interventions. Interventions under the Job Creation Priority (Priority I) included programmes on MSMEs development, access to finance and legal reform; women’s entrepreneurship development; enhancing employability and employment of persons with disabilities as well as social protection, occupational safety and health, and micro-insurance. Under enterprise development for young women and men, the ILO supports entrepreneurship training and provides capacity building support for policy level reporting. In economies such as Zambia’s, where the informal sector is growing at an increasing rate, decent work principles are also increasingly compromised. Without social protection and an institutionalized forum for dialogue and poor working conditions, the majority of Zambians work without dignity or safety nets in times of chronic illness, disability or death. Policies and programmes need to be put in place to ensure that those in the informal economy provide an income for themselves, are protected and work in satisfactory conditions.

Under the HIV and AIDS in the Workplace Priority (Priority II), ILO has supported the development of a National HIV and AIDS Workplace Policy, and has engaged in developing workplace policies and programmes in key economic sectors including education, agriculture and the informal economy. Furthermore, in 2011, a new project was launched focusing on provision of both health and economic services to vulnerable populations along the transport corridors in Zambia. The project targets both provision and access to HIV prevention services and economic empowerment among these populations.

Although there has been goodwill from co-operating partners to support the national HIV and AIDS response, investment into the response remains a challenge for Zambia. The Government, with support from the United Nations and other donors, through the ILO began the development of a National HIV and AIDS Workplace Policy that takes into account Recommendation no. 200 (2010) concerning HIV and AIDS and the World of Work in mid-2011. The policy takes cognizance of the global call for zero new infections, zero deaths and zero discrimination through a comprehensive programme of prevention care and support and targeting the world of work and key populations at risk. The new Workplace Policy will focus on strengthening public private partnerships and accelerating workplace interventions and mitigation of the impacts of HIV on the world of work. This policy is expected to be finalized in 2013 and will guide future responses in addressing issues of HIV and AIDS in the world of work both in the formal and informal economic sectors.



Under Priority III on Elimination of Child Labour and Trafficking, programmes on elimination of child labour through education, elimination of forced labour and human trafficking are operational. ILO support contributed to putting in place a legal and policy framework, the latest of which was the National Child Labour Policy and National Action Plan in November 2011. In addition, the Ministry of Education makes a significant contribution to the identification, re-integration and preventive support, particularly for poor and vulnerable children as well as gender considerations and those with special needs, thereby targeting children at risk or already engaged in child labour.

Comprehensive legislative and policy environments have been put in place through the adoption of the Anti-Human Trafficking Policy and Act in 2007 and 2008 respectively. The UN Joint Programme on Human Trafficking (2009-2012) implemented by ILO, IOM and UNICEF was designed to support the implementation of the Anti-Human Trafficking Policy and National Action Plan (NAP) by the Government through working with the employers, workers and other civil society organizations. However, the implementation of the Act and Policy by the Government has encountered several challenges due to insufficient funding to the NAP and slow rate of establishing the necessary institutional coordination structures. Anecdotal evidence on cases of Forced Labour in Zambia exists and such cases are frequently quoted. It is, however, difficult to carry out comprehensive research in the area due to the clandestine nature of the phenomenon. ILO projects that contribute to the implementation ZDWCP 2013 -2016 are shown in Annex 3.

The final evaluation of the Zambia DWCP 2007-2011 conducted in May-June 2011, gathered various lessons learned from past cooperation with ILO. Working in collaboration with various international organizations and through the Government, employers' and workers' organizations has proved effective as demonstrated by the progress reported in various areas at both outcome and output levels. In efforts to increase better employment opportunities some young women and men benefitted from skills training and have become self-employed and many more have a greater understanding of workers' rights and decent work. In addition, partners reported that there was an increase in the number of children withdrawn from child labour and a reduction in stigmatization of those living with HIV and AIDS.

The Government demonstrated political will by advancing in the creation of an enabling policy environment for decent work and employment creation with the adoption of the NAP on the elimination of Child Labour in 2010 and the launch of the MSME Development Policy and its implementation plan in January 2011. Furthermore, Ministry of Community Development Mother and Child Health (MCDMCH) partly with ILO support successfully advocated for the ratification of the UN Convention on the Rights of Persons with Disabilities. Through collaboration with the MSTVT, the ILO has also supported the development of an Action Plan for Inclusive Vocational Training (APIVT) to implement the Ministry's 2007 Disability Policy.

3 PRIORITIES OF THE ZAMBIA DECENT WORK COUNTRY PROGRAMME 2013-2016

The Zambia Decent Work Country Programme (Z-DWCP) 2013-2016 is a result of a national consultative process led by the DWCP Advisory Committee and its sub-committee established for the drafting of the DWCP, and supported by the ILO.

The drafting process drew inspiration and lessons from the previous DWCP period 2007-2011 in particular through the final evaluation of the previous DWCP, which was carried out in June 2011. Other key steps in the drafting of the Z-DWCP 2013-2016 were the broad consultation with the DWCP implementing partners and the DWCP Advisory Committee meeting held in October 2011, which identified the priorities for the country programme. A follow-up meeting was the meeting of the core drafting team in December 2011 which developed these priorities further to outcomes and outputs, with their respective strategies and indicators. The DWCP priorities are a reflection of the constituents' priorities and ensure consistency with national development priorities whilst taking into account elements of the ILO's Decent Work Agenda for Africa.

Zambia-DWCP Priorities for 2013-2016:

1. Priority I: Effective Application of fundamental principles and rights at work to support equitable and inclusive economic growth in Zambia
2. Priority II: Effective social dialogue contributes to sound industrial relations and sustained economic growth in Zambia
3. Priority III: More and better employment opportunities created, with focus on targeted groups⁹
4. Priority IV: Strengthened social protection systems including enhanced HIV and AIDS work place response.

In addressing the above priority areas, due attention will be given to the informal economy, rural areas and productivity levels in all sectors.

In order to ensure that the DWCP priorities are effectively implemented and monitored, there will be need for sustainable cooperation between the tripartite constituents, cooperating partners and the ILO. The above priorities will be incorporated into the United Nations Development Assistance Framework through the work plans for 2013-2015, in line with the "Delivering as ONE UN" initiative. Furthermore, these priorities are anchored in Vision 2030 and the SNDP and will be linked to the Industrialization and Job Creation Strategy, which provides direction and a coherent framework within which issues of work and employment can be addressed.

The four DWCP priorities will contribute towards Zambia's efforts to achieve the Millennium Development Goals, in particular MDG No. 1: Eradicate extreme poverty and hunger (with decent work included among its targets); No. 2: Achieve universal primary education; No. 3: Promote gender equality; No. 6: Combat HIV and AIDS and No. 8: on partnerships for development (with a target on strategies for decent and productive work for youth).

In the long term, the DWCP goals will contribute to Zambia's achievement of Vision 2030¹⁰ of becoming a "Prosperous Middle Income Nation by 2030" underpinned by the principles of:

- i. gender responsive sustainable development by reversing gender inequalities in the society and the world of work;
- ii. democracy;
- iii. tripartism, ownership, consultations, transparency and accountability;

⁹ Young people, women, people with disabilities, people living with and affected by HIV, migrant workers

¹⁰ http://www.nac.org.zm/index.php/research/doc_view/54-vision-2010-a-prosperous-middle-income-nation-by-2030?tmpl=component&format=raw

- iv. respect for human rights by ensuring the effective application of fundamental principles and rights at work;
- v. positive attitude towards work by building the capacity of Zambians to understand the value of employment and its rewards to one's livelihood;
- vi. peaceful coexistence by strengthening tripartism and bipartism between employers and workers through effective social dialogue; and
- vii. Private-Public Partnerships by ensuring strong and cohesive industrial linkages between workers and employers.

The successful implementation of the DWCP requires more allocation of resources and raising awareness among social partners. Greater collaborative efforts need to be made and supported through a 'resource mobilization strategy' to take advantage of the Zambian Government's internal revenue, which has grown over the last few years. The international community should also embrace the Decent Work Agenda. Resources will be mobilized for the DWCP implementation through the following channels: i) applying and aligning existing and pipeline technical cooperation project resources; ii) cost-sharing with Government, workers, employers and other implementing partners with respect to their budgetary allocations; iii) ILO's resources as well as resources from the UN system in line with the UNDAF.

The DWCP for Zambia will additionally ensure that the following cross-cutting concerns are addressed throughout the planning, implementation, monitoring and evaluation processes:

- a. Promotion of gender equality and equity
- b. Promoting good governance among implementing partners
- c. Mainstreaming issues of HIV and AIDS in the world of work (in addition to Priority IV).

Equality and Equity

Women constitute 73.2% of the labour force. However, they continue to face discrimination, particularly in the world of work where access to land, credit and training is predominantly for men. In 2012, Zambia's score on the Gender Inequality Index was 0.623 which ranked the country at 136 out of 187 countries.¹¹ Although women constitute 51% (of which 60% are economically active) of the national population (2010 National Census) gender inequalities are widely prevalent and deep, especially in the labour market. This is confirmed by the low representation of women at local and national levels. Female seats in the Zambia's Parliament stand at 11.5 %. This is almost twice as low as the figure for low HDI countries, Sub-Saharan Africa and Malawi. The representation of women in parliament and at local government level declined from 14% to 11.3% and 7% to 6.1% in 2006 and 2011 respectively. Zambia is one of the poorest performers on affirmative action in the South African Development Community, and Zambia's loss on the Inequality adjusted HDI stands at 36.7%, with the biggest losses resulting from inequality in life expectancy at birth and inequality in incomes.

¹¹ Human Development Report (2013) "Explanatory note on 2013 HDR composite indices Zambia," The Rise of the South: Human Progress in a Diverse World, Explanatory note on 2013 HDR composite indices Zambia.

Further, in Zambia like any other African country, women provide the majority of labour in subsistence agriculture, contributing an estimated 70% of the unpaid labour on small-scale farms and yet own very little land. Under Zambian customary law women only have user rights and no ownership rights. A FAO report notes that 30% of Zambian women lose 50% of their land upon the death of the spouse. The majority of women are vulnerable to poverty. In fact 62% of female - headed households live in extreme poverty (LCMS 2010) with few opportunities for a sustainable livelihoods, limited social protection and support from legal and state institutions. Although the Constitution of Zambia protects the equal rights of men and women, it also allows for the application of customary laws and cultural norms which create gender disparities and bias against women regarding gender roles, education and training.

Furthermore, gender - based violence is increasing with recent reports indicating that nearly half of Zambian women have been subjected to violence in one form or another. Gender - Based Violence (GBV) is a cause and consequence of gender inequality. It is also a major cause of women's ill health and a deterrent to their wellbeing. The year 2012 will go down in history as one of the worst in terms of recording increased numbers and exceptional cases of violence against women and girls. The unprecedented number of gruesome gender based violence cases left the country shocked and traumatized.

Gender Dimensions in Zambia- National Policies and Instruments

- National Gender Policy (NGP 2000)
- Sixth National Development Plan (SNDP 2011 - 2015)
- Zambian Poverty Reduction Strategy Paper (PRSP)
- Amendments of Penal Code Constitution, article 23
- Anti-Gender Based Violence Act (Anti-GBV Act 2011)
- Gender policies implemented by ministries education, health)
- Gender and Child Development Division (Gender Focal Points – ministries, provincial and district level)

The Zambian Government is “committed to continue advancing gender mainstreaming into policies and legislation and supporting the socio-economic empowerment of all, especially women” (SNDP). The Ministry of Gender intends on domesticating the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) -ratified by Zambia, under which- Maternity Protection is articulated. In addition, spearheaded by the first lady, the Ministry of Gender in collaboration with the Ministry of Labour and Social Security will work on the ratification of Convention 183 on Maternity Protection, which to date; only three African countries have ratified.

The National Gender Policy, under the Ministry of Gender presents hope and opportunities for a strategic plan to ensure that women in Zambia live with equality and equity. The National Gender Policy is currently under review.



HIV and AIDS

HIV and AIDS continue to impact negatively on the socio-economic development of Zambia. The vulnerability of women and girls is particularly evident in their disproportionately high rates of HIV infection (HIV prevalence among 15–19 year old females is 5.7% (compared with 3.6% for males), and 11.8% among 20–24 year old females (compared to 5% for males).

The main framework of reference that guides the national response on HIV and AIDS in Zambia is the National AIDS Strategic Framework (NASF) for the period 2011 to 2015¹². According to the NASF, six drivers fuelling the AIDS epidemic in the country are:

National prevalence rate: 14.3% mainly affecting the age range of 15 – 49 years.

Factors to assess the gaps in the response:

- HIV prevalence is higher in urban areas (20%) than in rural areas (10%), and females (16.1%) are more likely to be HIV positive than males (12.3%),
- A disproportionate burden of care for the sick and affected is being carried by women;
- Although HIV incidence has stabilized, the absolute number of new HIV infections increased due to Zambia's expanding population;
- There are underlying structural factors such as gender inequality, disparity in access to resources, discrimination and HIV-related stigma – and limited access to services – that undermine the response.

- *High risk behaviours among sex workers and in male to male sexual relationships*
- *Low and inconsistent condom use*
- *Low levels of male circumcision in some provinces*
- *Mobility and labour migration*
- *Multiple and concurrent sexual partners*
- *Vertical transmission from mother to child*

All six drivers have bearing on lives of workers and the availability of labour in the country.

The framework also identifies some gaps in the response, which will need to be considered in implementing the ZDWCP action to address HIV and AIDS:

- Behaviour change and prevention interventions are fragmented, generic in nature, inadequate especially in relation to sexually active children and young people, most-at risk populations (MARPS) and vulnerable groups;
- Low levels of comprehensive knowledge among the general population and especially among young people 15-24 years old;
- Some customary laws, social norms and cultural practices negatively impact prevention strategies;
- Slow pace of developing and implementing workplace HIV and AIDS programmes in both formal and informal sectors;
- Inadequate mainstreaming of HIV and AIDS in development projects; And,
- Insufficient data on the extent of vulnerability, the compounded causes of vulnerability and the size of vulnerable populations leading to unsustainable impact mitigation strategies.

Good Governance

Transparency and accountability by the institutions of Government, as well as the employers' and workers' organizations are vital, not only for managing the relations amongst themselves, but also for them to gain the confidence of their constituencies and deliver effectively on their expected mandates. Labour market governance, through labour inspections and bipartite workplace structures is also a prerequisite for success of the DWCP. Accountability and transparency will thus form an integral part of the institutional

¹²National AIDS Strategic Framework, 2011-2015, National AIDS Council.

capacity building for key players involved in employment and labour such as the labour administration and social partners.

3.1 DWCP Country Programme Priorities and Outcomes

Priority 1:

Effective Application of fundamental principles and rights at work to support equitable and inclusive economic growth in Zambia

The priority and its outcomes contribute to all the priorities of ILO's Programme & Budget and to all the regional priorities of the Decent Work Agenda for Africa (2007-2015) as it aims to enhance the application of all fundamental principles and rights at work. Through the review of the labour code and strengthening of labour administration, all ratified ILO conventions and all labour laws related to the ILO's strategic objectives are addressed:

- greater opportunities for women and men to secure decent employment and income;
- coverage and effectiveness of social protection to all;
- tripartism and social dialogue and promotion; and
- realization of standards and fundamental principles and rights at work.

At the national level, this priority contributes to the Sixth National Development Plan, particularly on the cross cutting issue of employment creation and to the United Nations Development Assistance Framework (UNDAF) supporting its objectives under Outcome 2 i.e. Sustainable Livelihoods (encompassing Food Security and Decent Employment).

Outcome 1.1:

Enhanced application of fundamental principles and rights at work through revision of key legislation and policies.

Outcome description:

This outcome concentrates on the review of legislation and policies in the field of labour and employment, with a view to bringing them in line with ILO standards and to address labour market challenges and facilitate good governance through strengthened Labour Administration.

Outcome Indicators:

1. Number of reviewed or amended pieces of legislation and policies with tripartite consultation
2. Number of ILO Conventions reviewed and ratified
3. ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) reports note satisfactory progress in Zambia's application of relevant conventions

Outcome strategies:

Review and analyse current gaps in the current labour laws to ensure that relevant legislation and policy frameworks¹³ are in line with International Labour Standards and ratified conventions and where necessary, advocate for the ratification of C.189 on domestic workers, C.183 on Maternity Protection and C.181 on Private Employment Services to enhance participation of vulnerable groups. The review and amendment of the labour laws is also intended to address various challenges that have been identified in the labour market. These include: casualization, child labour, occupational safety and health and the employment rights of persons with disabilities.

The revision of the National Employment and Labour Market Policy will include the development of an Implementation Plan and an official launch to raise awareness. Prior to revising the labour code, consultative meetings will be undertaken, guided by an Issues paper to ensure tripartism and to enhance social dialogue between all partners. Similarly, to strengthen implementation of the National Child Labour Policy and Action Plan, an M&E plan will be developed and all stakeholders will be sensitized and will have their capacity built to enable them to undertake activities in the Action Plan. Furthermore there may be need to build the capacity in the Child Labour Unit in the MLSS to lead the implementation of the NAP, and have a resource mobilisation plan developed, responsibilities for its implementation identified and a task force constituted to monitor the implementation of the plan. The development and adoption of a Statutory Instrument (SI) on the list of hazardous work prohibited to children is a crucial legal instrument in the elimination of child labour as will be its dissemination and training of labour inspectors on it.

Outputs:

Output	Output indicator
Output 1.1.1: Gaps in labour laws identified and laws revised	Draft revised labour laws
Output 1.1.2: Ratified ILO Conventions reviewed and other relevant ILO Conventions considered for ratification	Number of ILO Conventions reviewed and proposed to cabinet for ratification
Output 1.1.3: National Employment and Labour Market Policy (NELMP) revised and submitted for adoption	Revised NELMP adopted
Output 1.1.4: Child Labour Policy and Action Plan implemented	Number of outputs achieved under the Child Labour Policy and Action Plan

Outcome 1.2:

Increased observance of labour laws and application of fundamental principles and rights at work;

Outcome description:

¹³There are twelve labour laws in place, namely, Employment Act, Cap 268; Employment Act (Special Provisions), Cap 270; Minimum Wages and Conditions of Employment Act, Cap 276; Employment of Young Persons and Children Act, Cap 274; Factories Act, Cap 441; Occupational Health and Safety Act 2010; Industrial and Labour Relations Act, Cap 269; National Pension Scheme (NPS) Act No. 40 of 1996; Public Service Pension Fund (PSPF) Act No. 35 of 1996; Local Authorities Superannuation (LASF) Act, Cap 284; Workers' Compensation (WCF) Act No. 10 of 1999; and Zambia Institute of Human Resource Management Act No. 11 of 1997.

The existing inspectorate unit faces challenges of inadequate coverage due to inadequately qualified and experienced staff and insufficient equipment and resources. This is also coupled by the high turnover of staff within the Ministry of Labour. The strengthened capacity of inspectorate units will enable inspectorates to monitor compliance of labour laws and labour standards and take appropriate action where laws/regulations are being violated.

Outcome Indicators:

1. Increased number of inspections at the workplace
2. Number of labour law infringements at the workplace reduced

Outcome strategies:

Support the strengthening of the institutional, human and financial capacity of an integrated labour inspectorate to effectively and efficiently enforce the labour laws through the following: institutional capacity assessment to identify existing field offices and areas for establishment of new field offices in line with the newly created districts in Zambia as well as to understand capacity gaps, advantages and disadvantages faced by the existing inspectorate. Specific trainings will be conducted for the labour inspectorate/officers and further support will be provided to build the capacity of the police, immigration, industrial relations court, officers from the DPPs office, permanent Human rights Commission, trade unions and employers organization on information and awareness raising on labour laws. Furthermore, to enhance channels of communication among law enforcement units/officers, a referral system will be established.

Outputs:

Output	Output indicator
Output 1.2.1: New field stations established	Number of field stations established
Output 1.2.2: New labour inspectors/officers recruited	Number of labour inspectors/offices trained and retained inspectors in MLSS
Output 1.2.3: Law enforcement officers and stakeholders sensitized on labour laws	Number of law enforcement officers and stakeholders trained in enforcement of labour laws

Priority 2:

Effective social dialogue contributes to sound industrial relations and sustained economic growth in Zambia

The priority and its outcomes contribute to the regional priority of increasing scope and capacity for social dialogue and a rights-based approach in ILO's Programme & Budget for biennium 2012-2013. Furthermore, it is supported by the following Programme & Budget outcomes: Effective provision of services by labour administrations and strengthened social dialogue and industrial relations. In line with the Ouagadougou Roadmap from the African Union Extraordinary Summit on Employment and Poverty Alleviation in Africa held in September 2004, which overwhelmingly endorsed the Decent Work Agenda, this priority contributes to strengthening social dialogue as a key mechanism for African Recovery



Strategies and wider sustainable development in the country. It also contributes to the Decent Work Agenda for Africa priority on tripartism as a key governance mechanism for poverty-reducing growth as well as the target on improving information for better policies.

Outcome 2.1:

Enhanced Social Dialogue through a functional, effective and more relevant Tripartite Consultative Labour Council administrative structure

Outcome description:

The TCLC is a tripartite body established under the Industrial Labour Relations Act as a consultative mechanism for employment and labour issues in Zambia. In order to facilitate efficient operations, a dedicated administrative structure needs to be put into place to coordinate activities and programmes liaising with the focal points within the tripartite partners to enhance social dialogue in a consultative manner.

Outcome Indicators:

1. TCLC meetings held regularly and in conformity with provisions of ILRA
2. Number of recommendations from TCLC that are adopted by Government.

Outcome strategies:

This outcome, following a consultative assessment on the effectiveness of the TCLC and its contribution to enhancing social dialogue, aims at establishing a functional, effective and more relevant administrative structure for the TCLC with operational independence. This outcome will require amending the Industrial and Labour Relations Act and Employment Act under the on-going labour law reform process covered by the period of this DWCP, so as to make the decisions of the TCLC binding on all parties. The proposed reform of the TCLC is also aimed at enhancing its capacity to influence social and economic decisions affecting employment and labour issues in the country. Under this outcome efforts will be undertaken to mobilize resources to enhance effective operations of the TCLC.

Outputs:

Output	Output indicator
Output 2.1.1: Administrative structure of TCLC reviewed and operational	New administrative structure of the TCLC established and staff recruited
Output 2.1.2: Industrial and Labour Relations Act and Employment Act reviewed for amendment	Revised Industrial and Labour Relations Act submitted to the Ministry of Justice

Outcome 2.2:

Enhanced industrial harmony through Social Dialogue

Outcome description:

Effective social dialogue contributes to good industrial relations and sustainable economic development. Industrial harmony can best be achieved through broadened consultative processes and representation by social partners. It is therefore important that social partners have adequate negotiation and collective bargaining skills, which is the main objective under this outcome.

Outcome Indicators:

1. Number of collective bargaining agreements signed
2. Number of disputes resolved including cases in the Industrial relations court.

Outcome strategies:

Setting up the right mechanisms for dialogue across social and economic policy areas, and building the capacity of constituents to participate in such dialogue is the primary aim under this outcome. In order to effectively improve the capacities of workers' and employers' organizations, a training needs assessment will be carried out to point out the specific gaps. Thereafter, a training programme in dialogue, negotiation and collective bargaining skills will be developed and implemented for members of workers' and employers' organizations. Representation of partners will be enhanced under this outcome through mobilization of new members with new innovative approaches, such as introducing new and improved services for members. Broadened consultative processes will be applied to mobilize members' views.

Outputs:

Output	Output indicator
Output 2.2.1: Social partners' dialogue, negotiation and collective bargaining skills strengthened.	Number of social partners trained in Social Dialogue, Collective Bargaining and Dispute Resolutions
Output 2.2.2: Gap analysis of workers' and employers' organisational capacities carried out with an agreed action plan	Action plan for workers' and employers' organisational capacity building

Priority 3:

Priority 3: More and better employment opportunities created, with focus on targeted groups¹⁴

The priority and its outcomes contribute to the achievement of the MDG 1 target on decent work, and MDG 3 on Gender. This priority responds to several priorities in the ILO's Programme and Budget for the biennium 2012-2013: promoting rural employment, upgrading the informal economy, supporting employment for young people, women, people with disabilities, people with infected and affected by HIV and AIDS, migrant workers and

¹⁴ Young people, women, people with disabilities, people with infected and affected by HIV&AIDS, migrant workers



reducing child labour and advancing gender equality. This priority area also supports the achievement of the following Decent Work Agenda for Africa outcomes:

- investing in enterprises and decent work opportunities in Africa; and
- decent work for Africa's youth and escaping the informal economy trap.

At the national level, the priority contributes to the Sixth National Development Plan (2011-2015), the 2012 Industrialisation and Job Creation Strategy as well as the UNDAF (2011-2015) supporting the National Development Agenda.

Outcome 3.1:

Increased decent employment opportunities for target beneficiaries within MSMEs in sectors with growth potential for enhanced human development

Outcome description:

While formal sector consisting of large enterprises has played an important role in creating employment opportunities, these remain limited in number. However, the MSME sector which is mainly in the informal economy provides the greatest number of opportunities for decent job creation. Since most of the MSME's are informal they are largely unsupported by coherent policy leadership and coordination mechanism. Their contribution to GDP, domestic revenue is largely not captured. The sector is characterised by pronounced decent work deficits. This outcome aims at promoting graduation of MSME's from the informal to the formal economy, thus contributing to the reduction of decent work deficits and facilitating creation of more and better decent employment opportunities.

The ILO has a strong mandate to facilitate policy and regulatory reform in support of sustainable enterprises, as stated in the report on the Promotion of Sustainable Enterprises, submitted to the 96th Session of the ILC in 2007. This was further specified in the subsequent conclusions concerning the promotion of sustainable enterprises adopted by the ILC. The conclusions highlight 17 interconnected and mutually reinforcing conditions that are considered essential to sustainable enterprise development. Among the prominent ones are enabling legal and regulatory environments. The conclusions concerning the promotion of sustainable enterprises also highlight that efforts should be conducted through direct and relevant support to the strategies contained within the ILO's Decent Work Country Programmes (DWCPs).

In 2012, Zambia embarked on an assessment of an enabling environment for sustainable enterprises led by the Employers Organization. The results of the assessment are expected in 2013.

Outcome Indicators

1. Number of employment opportunities and/or jobs created by MSMEs in selected growth sectors including green jobs in the building construction sector disaggregated by sex, age, rural/urban dynamics and disability status
2. Number of MSME's that graduate to formal enterprises

Outcome strategies:

MSMEs could play an important role in creating employment and spurring growth. However, their competitiveness is undermined by inadequate infrastructure, limited access to financial

and business services. MSME's can integrate in, and reap more benefits from local and international value chains, if they are provided with business development services, among which continuous skills development is paramount. In addition to this, organising strategies, incentives for formalisation of MSME's and social protection coverage are some of the steps to be taken to help this transformation noting that drivers of informality are usually multiple and deeply rooted in long-standing development gaps and weaknesses.

Similarly, it is necessary to enhance the capacity of associations and organizations for vulnerable groups, including the youth, women, people with disabilities. Capacities of business development service providers must also be strengthened to contribute to greater access to employment and self-employment opportunities, increased productive capacities, and more relevant and quality skills training. This is on the basis that skills development is an economic imperative. Employment intensive investment programmes, owing to the large numbers of lowly skilled workers in the labour force - are a relevant pre-requisite in spurring the prospects of job creation. This job creation strategy will be reinforced by:

- providing business support services for SME's, advocacy and career guidance for young women and men;
- building the capacity of MSMEs using e.g. ILO entrepreneurship training packages including SCORE, SIYCB, SIYB and Get Ahead.
- ensuring sustainability and growth for MSMEs through the expansion of the business linkages programme to enhance access to markets, including support toward export markets as well as enhance access to financial services particularly for women.

One sector that is already receiving support is the construction sector under the UN Joint Programme on Enhancing Competitiveness and Sustainable Business among MSMEs in the Building Construction Industry which promotes green jobs. Support will be provided to finance institutions to encourage them to develop more gender sensitive and youth friendly financial products using such packages as FAMOS which has already been adapted by the Bank of Zambia to help financial service providers increase their responsiveness and service delivery to MSME's including micro insurance services, in particular for MSMEs owned and/or managed by women and youth. In addition, through the promotion of credit guarantee schemes and funds, MSMEs will be able to address collateral challenges currently faced when approaching financial institutions.

In order to address the significant youth unemployment challenge, an assessment will be undertaken to provide guidance and evidence on the nature and extent of the youth employment challenge in Zambia, effectiveness of the labour market, identification of job-rich sectors and their value chain potential. This will be complemented by a review of country policies and programmes on employment, informing the review of the National Plan of Action of the National Youth Policy, which is the guiding framework for addressing youth issues.

Outputs:

Output	Output indicator
Output 3.1.1: Enhanced entrepreneurship, business start-up, management and technical skills among targeted MSMEs	Number of MSMEs trained in entrepreneurship, business start-up, management and technical skills
Output 3.1.2: Enhanced access to markets and technology for the target beneficiaries	Number of business linkages brokered and SME's linked to markets (for expansion)

Output	Output indicator
Output 3.1.3: Enhanced access to financial services for the target beneficiaries	Number of MSMEs that secure formal financing
Output 3.1.4. Productivity Centre Established	Functional Productivity Centre

Outcome 3.2:

Enhanced local development and employment by multinational enterprises

Outcome description:

Boosting domestic investment and targeting specific foreign investment that complements the industrial development strategy is one part of the new approach that has to be taken.

Foreign direct investment provides an important source of (formal) jobs for the country. Through more integrated and stronger business linkages, with the SME sector, FDI also provides a ready domestic market for goods and services therefore boosting domestically driven growth. This outcome therefore, aims at encouraging the employment of local Zambians and transfer of skills and technology to ensure a maximum employment impact on the economy, as well as promoting FDI that is more labour intensive. Effective regulations backed by the right policy and legal framework as well as monitoring mechanisms will help to achieve the objectives.

Outcome Indicators:

1. Number of new formal Jobs created through FDI
2. Number of Business linkages between FDI funded companies and Domestic Enterprises

Outcome strategies:

One of the main strategies under this outcome is to influence the content of the Employment Act during its revision process with a view to reviewing the investment promotion regulations, particularly on the section on employment of locals by multinational enterprises. Another strategy to enhance the positive impact of FDI is to expand the National Business linkages programme to include more multinational corporations as well as capacity improvement programmes for MSMEs to ensure they are linkage ready. Finally, in order to measure the positive impact of FDI, a follow-up system will be established to monitor compliance of labour laws by multinational companies as well as to measure job creation in collaboration with the Investment Division of the Zambia development Agency.

Non-compliance with labour laws by foreign investors also need to be addressed more strongly, and improved Government fiscal space could be used to finance infrastructure, social protection and industrial development.

Outputs:

Output	Output indicator
Output 3.2.1: Revised investment promotion regulations to promote skills transfer and participation of local enterprise	Draft investment promotion regulations developed by stakeholders and submitted for adoption
Output 3.2.2: Follow up system to monitor compliance of investment promotion by international companies, and the impact of FDI on employment established	System to monitor compliance of investment promotion by international companies, and the impact of FDI on employment

Outcome 3.3:

Enhanced utilization of Labour Market Information (LMI) for policy planning and implementation

Outcome description:

LMI system provides information inter alia on employment for targeted groups as well as unemployment rates and youth unemployment. This outcome aims at strengthening the Zambian LMI system backed by regular Labour Force Survey measuring internationally accepted indicators on employment and labour, which will provide up-to-date information on the status of the employment situation. This will also help measure progress towards achievement of decent work.

Outcome Indicator:

1. Evidence of use of LMIS by policy makers for development of national development strategies on employment and labour
2. Regular Labour Force Surveys to support implementation of the LMIS

Outcome strategies:

The overall outcome strategy will involve strengthening the capacity of Government and Central Statistical Office in order to be able to:

- establish and run, in collaboration with social partners, a comprehensive labour market information system for policy making;
- hold consultative meetings to sensitize social partners and key stakeholders (users of LMI) and call on ILO's expertise and experience in developing, managing and using such systems;
- conduct comprehensive Labour Force Surveys to establish baseline information as well as to monitor progress; and
- conduct advocacy campaign to policy makers on use of LMI in policy making.

Furthermore, through the enactment of a Statutory Instrument to compel institutions to provide information to the LMIS, the quality and value of the LMIS for policy planning and implementation will be strengthened.

Outputs:



Output	Output indicator
Output 3.3.1: Statutory instrument to compel institutions to provide LMI data into the national system issued	Statutory instrument compelling institutions to provide information to the LMIS national system gazetted
Output 3.3.2: Functional LMIS that provides key indicators of the labour market in place	Number of Employment related surveys undertaken (LFS's, STWTS, Skills Survey etc.) Functional and integrated LMIS in place Number of annual labour market bulletins analysing LM trends
Output 3.3.3: Public Employment Exchange Services Re-Established	Functional PEES
Output 3.3.4: The capacities of constituents, and other LMI providers and users is enhanced on the utilization of LMI for policy planning and implementation	Number of social partners trained in the utilization of LMI for policy planning and implementation

Priority 4:

Strengthened social protection systems including enhanced HIV and AIDS work place response

The priority and its outcomes work towards ILO's regional priority of improving social protection and support the regional priority on increasing scope and capacity for a rights-based approach. This priority, in support of ILO's Programme and Budget Outcomes on responding effectively to the HIV and AIDS epidemic in the world of work and access to better managed and more gender equitable social security benefits, contributes to the Decent Work Agenda for Africa outcomes: investing in a basic social protection package for poverty reduction; and tackling the HIV and AIDS crisis through workplace action and implementing labour standards at the workplace.

Outcome 4.1:

Enhanced application of Social Security policies and laws in Zambia

Outcome description:

This outcome aims at reviewing and implementing relevant policies for the provision of social security which will improve the welfare of retirees, senior citizens and other vulnerable groups, thereby reducing destitution and poverty. In effect, these standards will address a number of weaknesses/gaps that exist in the current pension delivery system.

Outcome Indicators:

1. National Social Security Policy adopted;
2. Level of compliance to social security standards by pension schemes and employers;

Outcome strategies:

This priority area will involve developing a minimum social protection floor aimed at reducing poverty, inequality and targeting the most vulnerable. Specific actions will include the extension of old age pension to cover the entire population over 65, followed by child benefits, healthcare coverage and unemployment benefits.

The strategy will also aim at adopting a National Social Security Policy and develop and implement a National Social Security Action Plan intended to protect workers from bearing an unfair share of the economic risks inherent in economic activity. Further, an assessment of the effectiveness and efficiency of existing public occupational social security schemes to inform future initiatives will be conducted. Through a communication strategy, awareness on the draft National Social Security Policy as well as on existing social security schemes will be raised..

Outputs:

Output	Output indicator
Output 4.1.1: National Social Security Policy with ILO social protection floor targets submitted for approval	Draft National Social Security Policy including ILO social protection floor targets
Output 4.1.2: Relevant Social Security Legislation, regulation and institutions reviewed	Number of Social Security Policies, Laws and Regulations reviewed.
Output 4.1.3: Social Security awareness created	Number of awareness campaigns conducted
Output 4.1.4: Implementation of the National Social Security Policy by the MLSS	Action Plan developed and implemented

Outcome 4.2:

Extension of social security coverage to the informal economy

Outcome description:

This outcome aims at providing social security to workers operating in the informal economy (e.g. taxi drivers, marketers etc.).

Outcome Indicators:

1. Number of people covered by social security in the informal economy (disaggregated by age and sex)
2. Number of social protection schemes created in the informal economy
3. Design of informal sector social pension approved

Outcome strategies:



This outcome will concentrate on the development of a minimum social protection floor. This will comprise of-among others, social insurance mechanisms for informal economy workers to mitigate against contingencies such as sickness, death, temporal unemployment, old-age and educational costs etc., which are common in the sub-sector. This is in line with the 2012 Recommendation on Social Protection¹⁵. The new Recommendation explicitly says people employed in the informal, as well as the formal economy, should also benefit from social security. As such, it should support the growth of formal employment and the reduction of informality.

Outputs:

Output	Output indicator
Output 4.2.1: Analytical research and knowledge platform developed on social protection	Minimum Social Protection Floor developed
Output 4.2.2: Social protection mechanisms for the informal economy developed, disseminated and launched	Social protection schemes developed for various groups in the informal economy

Outcome 4.3:

Increased access to HIV services by women and men workers in key economic sectors

Outcome description:

This outcome aims at using the workplace as key entry point for HIV prevention and care with a view to increasing productivity and reducing additional costs.

Outcome Indicators:

1. Number of workers who access HIV or related services disaggregated by sex and type (VCT, prevention, education, care, treatment, economic services etc.)
2. Number of sectoral HIV and AIDS workplace policies adopted/implemented in line with ILO R200 of 2010
3. HIV and AIDS issues mainstreamed in labour laws

Outcome strategies:

The strategy concentrates on the development of the National HIV and AIDS Workplace Policy and then moving on to supporting the development of sectoral policies and programmes. Under this outcome, a National HIV and AIDS Implementation Plan will be developed and implemented based on the national workplace policy. The ILO will support capacity building of stakeholders on the development and implementation of sector programmes ensuring gender mainstreaming that provide prevention and care services for

¹⁵ Countries are encouraged to establish social protection floors as a “fundamental element of their national social security systems” and as part of their social, economic and environmental development plans. Those countries who cannot afford the basic social protection measures could seek international cooperation and support to complement their own efforts.

their workers. Furthermore, identified organizations engaged in HIV and AIDS work in the informal economy will be strengthened to implement HIV and AIDS prevention and mitigation activities, in particular economic activities to reduce their vulnerability to HIV. Linkage with local service providers will be established to scale up service provision.

Outputs:

Output	Output indicator
Output 4.3.1: National HIV and AIDS Workplace Policy and Implementation Plan developed and adopted	HIV and AIDS workplace policy and implementation plan endorsed by constituents and submitted for adoption
Output 4.3.2: Sector based HIV and AIDS workplace programmes developed	Number of : Sector based HIV and AIDS workplace programmes developed
Output 4.3.3: Gender sensitive economic activities started by people living with or affected by HIV started to reduce their vulnerability	Number of people who have started an economic activities (disaggregated by sex and age)
Output 4.3.4: Linkages created between sectors and HIV service providers to scale up access to HIV prevention and care	Number of agreements signed with HIV service providers

4 IMPLEMENTATION AND MANAGEMENT OF THE ZAMBIA DWCP

The implementation of the DWCP for Zambia will be spearheaded by the Government of Zambia, through the Ministry of Labour and Social Security in close collaboration with the Social Partners and with the technical support of the ILO. The ILO Country Office for Zambia, Malawi and Mozambique will facilitate the process of implementation by drawing on the support and expertise from the Decent Work Team in Pretoria and various technical and administrative units and departments in ILO Geneva so as to ensure the successful implementation of the DWCP in Zambia. Technical and where possible, financial support, will also be mobilised from among the UN System in Zambia.

The ILO has and will continue to align existing extra-budgetary and regular budget technical cooperation programmes, projects and activities in Zambia to optimize their contributions to ensure their consonance with DWCP priorities. Deliberate efforts will be made to ensure maximum synergies with the planning and implementation of the SNDP and the UNDAF in Zambia, including their next generation programmes. In order to facilitate resource mobilization for the DWCP in its entirety, as well as for its component parts, the Government and ILO will coordinate the development of a joint resource mobilization strategy, including presentation of project proposals for the attention of the United Nations Country Team in the form of UN Joint Programmes and for submitting to prospective cooperating partners. The Government, the social partners and the ILO will be promoting a coherent DWCP approach in the resource mobilization efforts in Zambia.

A DWCP Implementation Committee comprising of technical experts from the Government, social partners and other stakeholders will be established to monitor and oversee the timely



delivery of DWCP outputs. As the umbrella body for the DWCP Implementation Committee, the Tripartite Consultative Labour Council (TCLC) will have the responsibility of providing policy and strategic guidance to the DWCP implementation in the context of national development priorities (such as the R-SNDP and the NELMP). In order to enable TCLC to fully take charge of its responsibilities, capacity building programmes will be designed and conducted to increase its effectiveness as the main body for Social Dialogue in the country. Further, DWCP focal points will be established in the Ministry of Labour as well as Employers' and Workers' Organizations, and other stakeholders as appropriate, in order to ensure effective national leadership in the implementation of the DWCP.

5 PERFORMANCE MONITORING AND EVALUATION ARRANGEMENTS

A performance monitoring and evaluation system is an integral part of this DWCP. This M&E system is in line with participating cooperating partners' and ILO's practice that require bi-annual reports as well as mid- and end-of-programme evaluations. Emphasis will be placed on synchronising and aligning the DWCP M&E system to the R-SNDP monitoring and evaluation system, as well as the UNDAF monitoring and evaluation framework. Monitoring and evaluation procedures seek to assess the achievements of the DWCP in both quantitative and qualitative terms, and it contains indicators that effectively reflect impact on the three cross-cutting concerns elaborated above. The full participation of the Social Partners in the planning, implementation and monitoring of the process will be assured and, in order to make this more effective, capacity building support will be provided on performance monitoring and evaluation to enhance their full and meaningful engagement. Annual review meetings as well as a mid-term evaluation and a final evaluation of the Zambia DWCP will be conducted.

6 BUDGET OF THE ZAMBIA DWCP

The total budget to implement the ZDWCP 2013 - 2016 is estimated at US\$7,135,000.00 out of which US\$4,601,500.00 has been sourced, leaving a resource gap of US\$2,608,500.00.

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National AIDS Council, National AIDS Strategic Framework, 2011-2015
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UNGASS, 2011 Zambia Country Progress Report
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ANNEX 1: ILO CONVENTIONS RATIFIED BY ZAMBIA

CONVENTION	YEAR RATIFIED
C 11 Right of Association (Agriculture) Convention, 1921	1964
C 12 Workmen's Compensation (Agriculture) Convention, 1921	1964
C17 Workmen's Compensation (Accidents) Convention, 1925	1964
C 18 Workmen's Compensation (Occupational Diseases) Convention, 1925	1965
C 19 Equality of Treatment (Accident Compensation) Convention, 1925	1964
C 26 Minimum Wage-Fixing Machinery Convention, 1928	1964
C 29 Forced Labour Convention, 1930	1964
C 50 Recruiting of Indigenous Workers Convention, 1936	1964
C 64 Contracts of Employment (Indigenous Workers) Convention, 1939	1964
C 65 Penal Sanctions (Indigenous Workers) Convention, 1939	1964
C 86 Contracts of Employment (Indigenous Workers) Convention, 1947	1964
C 87 Freedom of Association and Protection of the Right to Organise Convention, 1948	1996
C 95 Protection of Wages Convention, 1949	1979
C 97 Migration for Employment Convention (Revised), 1949	1964
C 98 Right to Organise and Collective Bargaining Convention, 1949	1996
C 99 Minimum Wage Fixing Machinery (Agriculture) Convention, 1951	1972
C100 Equal Remuneration Convention, 1951	1972
C 103 Maternity Protection Convention (Revised), 1952	1979
C 105 Abolition of Forced Labour Convention, 1957	1965
C 111 Discrimination (Employment and Occupation) Convention, 1958	1979
C 117 Social Policy (Basic Aims and Standards) Convention, 1962	1964
C 122 Employment Policy Convention, 1964	1979
C 124 Medical Examination of Young Persons (Underground Work) Convention, 1965	1967
C 131 Minimum Wage Fixing Convention, 1970	1972

C 135 Workers' Representatives Convention, 1971	1973
C 136 Benzene Convention, 1971	1973
C 138 Minimum Age Convention, 1973	1976
C 141 Rural Workers' Organisations Convention, 1975	1978
C 144 Tripartite Consultation (International Labour Standards) Convention, 1976	1978
C 148 Working Environment (Air Pollution, Noise and Vibration) Convention, 1977	1980
C 149 Nursing Personnel Convention, 1977	1980
C 150 Labour Administration Convention, 1978	1980
C 151 Labour Relations (Public Service) Convention, 1978	1980
C 154 Collective Bargaining Convention, 1981	1986
C 158 Termination of Employment Convention, 1982	1990
C 159 Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983	1989
C 173 Protection of Workers' Claims (Employer's Insolvency) Convention, 1992	1998
C 176 Safety and Health in Mines Convention, 1995	1999
C 182 Worst Forms of Child Labour Convention, 1999	2001
C 45 Underground Work (Women) Convention, 1935	1964 (Denounced in 1998)
C 89 Night Work (Women) Convention (Revised), 1948	1965 (Denounced in 2001)
C 5 Minimum Age (Industry) Convention, 1919	1964 (Denunciated as a result of C 138)
C 123 Minimum Age (Underground Work) Convention, 1965	1967 (Denunciated as a result of C 138)

Source: <http://webfusion.ilo.org/public/applis/appl-byCtry.cfm?lang=EN&CTYCHOICE=2030&hdroff=1>

ANNEX 2: ZDWCP LINK TO UNDAF OUTCOMES AND NATIONAL DEVELOPMENT PLANS

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
CP priority 1: Effective Application of fundamental principles and rights at work to support equitable and inclusive economic growth in Zambia					
CP outcome 1.1: Enhanced application of fundamental principles and rights at work through revision of key legislation and policies	Indicator 1.1.1: Number of reviewed or amended pieces of legislation and policy with tripartite consultation	Assumption: relevant legislation and conventions will be revised within the time frame of the DWCP Risk-Labour Law Reform process delayed	UNDAF Outcome 2 (Targeted populations in rural and urban areas attain sustainable livelihoods by 2015) and Part IV of the SNDP objective to: To facilitate the promotion of human rights; accelerate economic diversification and gross human rights violations eliminated;	Outcome 11: labour administrations apply up to date labour legislation and provide effective services Outcome15: Forced Labour is eliminated	Better implementation of ratified conventions and greater effective respect for fundamental principles and rights at work (DWAA objective 5.1)
	Data source: Minutes of the TCLC, Ministry of Justice				
	Indicator 1.1.2. Number of ILO Conventions reviewed and ratified		UNDAF Outcome 2 (Targeted populations in rural and urban areas attain sustainable livelihoods by 2015) and the SNDP objective to facilitate the promotion of human rights; accelerate economic diversification and gross human rights violations eliminated; productive employment; and combining promotion of employment and up-holding workers' rights (Labour Market Reforms)	Outcome 11: labour administrations apply up to date labour legislation and provide effective services Outcome15: Forced Labour is eliminated	Better implementation of ratified conventions and greater effective respect for fundamental principles and rights at work (DWAA objective 5.1)
	Data source: Ministry of Labour and Social Security, Minutes of the TCLC				
	1.1.3. ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) reports note satisfactory progress in Zambia's application of relevant convention				
	ILO Committee of experts reports				

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
CP outcome 1.2: Strengthened capacity of inspectorate and other units involved in the application of fundamental principles and rights at work (e.g. labour inspectorate, occupational safety and health and law enforcement agencies) and other stakeholders to conduct labour inspections;	Indicator 1.2.1: Increased number of labour inspections at the workplace	Assumption: New Labour Officers recruited Risk: High turnover of Labour Officers recruited and trained	UNDAF Outcome 2 (Targeted populations in rural and urban areas attain sustainable livelihoods by 2015) and SNDP objective to: To facilitate the promotion of human rights and to: accelerate economic diversification and productive employment; SNDP objective on promotion of employment and up-holding workers' rights.	Outcome 11: labour administrations apply up to date labour legislation and provide effective services Outcome15: Forced Labour is eliminated	Better implementation of ratified conventions and greater effective respect for fundamental principles and rights at work (DWAA objective 5.1)
	Data source: Ministry of Labour and Social Security (MLSS) Annual progress report; MLSS HR Reports				
	Indicator 1.2.2: Number of labour law infringements at the workplace (reduced)				
	Data source: Ministry of Labour and Social Security Database , Industrial Relations Court, Human Rights Commission				
CP priority 2: Effective social dialogue contributes to sound industrial relations and sustained economic growth in Zambia					
CP outcome 2.1: Enhanced Social Dialogue through a functional, effective and more relevant Tripartite Consultative Labour Council administrative structure	Indicator 2.1.1: TCLC meetings held regularly and in conformity with provisions of ILRA	Assumption: Enhanced Social Dialogue at the TCLC will encourage/facilitate industrial harmony and foster decent work environments; TCLC will fulfill its statutory requirement of convening (current law states twice a year) Risk: Deadlocks & Stalemates	UNDAF Outcome 2 on attainment of sustainable livelihoods by 2015); SNDP objective on promotion of human rights and accelerating economic diversification and productive employment; SNDP objective on combining promotion of employment and up-holding workers' rights	Outcome 12: Tripartism and strengthened labour market governance contribute to effective social dialogue and sound industrial relations Outcome 9: Employers have strong, independent and representative organizations Outcome 10:	Strengthen tripartite institutions and more effective social dialogue at national and regional levels capable of ensuring that Decent Work Agenda for African Development is fully articulated and included in national development
	Data source: TCLC minutes				
	Indicator 2.1.2: Number of recommendations from TCLC that are adopted by Government				
	Data source: TCLC minutes				

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
				Workers have strong, independent and representative organizations	strategies for the achievement of MDGs(DWAA Objective 5.6)
CP outcome 2.2: Enhanced Industrial Harmony through Social Dialogue	Indicator 2.2.1: Number of collective bargaining agreements signed	Assumption: Enhanced Social Dialogue will encourage/facilitate industrial harmony and foster decent work environments Risk: Labour Law Reform process delayed	UNDAF Outcome 2 on attainment of sustainable livelihoods by 2015); SNDP objective on promotion of human rights and accelerating economic diversification and productive employment: SNDP's objective on combining promotion of employment and up-holding workers' rights	Outcome 12: Tripartism and strengthened labour market governance contribute to effective social dialogue and sound industrial relations Outcome 9: Employers have strong, independent and representative organizations Outcome 10: Workers have strong, independent and representative organizations	Greater freedom of association and wider coverage of organisation and collective bargaining (DWAA Objective 5.5)
	Data source: Ministry of Labour, ZFE, ZCTU and FFTUZ collective bargaining agreements				
	Indicator 2.2.2. Number of disputes resolved including cases in the Industrial relations court				
	Data source: MLSS; TCLC Minutes; Industrial relation court; ZFE; ZCTU and FFTUZ annual reports;				
CP priority 3: More and better employment opportunities created, with focus on targeted groups					

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
CP outcome 3.1: Increased decent employment opportunities for target beneficiaries within MSMEs sectors with high potential for economic and social progress.	Indicator 3.1.1: Number of employment opportunities and/or jobs created by MSMEs in selected growth sectors including green jobs in the building construction sector sectors	Assumption: stable and predictable macro-economic environment that is business friendly and growth - promoting for both large-scale FDI and domestic MSME sector Risk: Change in Policy environment and focus	UNDAF Outcome 2 (Targeted populations in rural and urban areas attain sustainable livelihoods by 2015) and SNDP objective on accelerated economic diversification and productive employment in key economic sectors; SNDP Investment policy measures and Private sector development reform programme focus measures; MDGs Goal 1, targets, 1,2 & 3; SNDP Labour market reform objectives.	Outcome 1: More women and men have access to productive employment Outcome 2: Skills development increases the employability of workers, the competitiveness of enterprises and the inclusiveness of growth Outcome 3: Sustainable enterprises create productive and	Progressive formalisation of enterprises and protection of workers in the informal economy (DWAA Objective 5.7). A major improvement in the availability of varied and good quality training opportunities for women and men, especially young people and those
	Data source: Zambia Development Agency, LMI data sources e.g. Labour Force Surveys, Living conditions Monitoring Survey, Economic Census, School To Work Transition Survey etc.				
	Indicator 3.1.2: Number of MSME's that graduate to formal enterprises				

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
	Data source: Patents and Companies Registration Agency database; ZDA database; <i>MSME field surveys</i>			decent jobs	currently living and working in poverty (DWAA Objective 3.4): A substantial reduction in the levels of youth unemployment and a major improvement in the quality of jobs to young men and women (DWAA Objective 3.3).
CP outcome 3.2: Enhanced local development and employment by multinational enterprises	Indicator 3.2.1: Number of new formal Jobs created through FDI	Assumption: stable and predictable macro-economic environment; Continued FDI flows Assumption: FDI creates decent employment opportunities in line with existing PLRF Risk: FDI flows decrease	SNDP objective to: accelerate economic diversification and productive employment in key economic sectors identified in the SNDP; SNDP's Fiscal policy, Investment policy and International relations policy objectives; SNDP Financial sector development objectives;	Outcome 1: More women and men have access to productive employment Outcome 2: Skills development increases the employability of workers, the	There is the need to strengthen the necessary linkages between African nations and their export sectors and the rest of the economy by building and
	Data source: Zambia Development Agency, LMI data sources e.g. Labour Force Surveys, Living conditions Monitoring Survey, Economic Census, School To Work Transition Survey etc.				

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
	Indicator 3.2.2: Number of Business linkages between FDI funded companies and Domestic Enterprises Data source: Ministry of Commerce Trade and Industry, Zambia Development Agency, Ministry of Finance;	Risk: Economic and or political instability Risk: Changes in investment climate	MDGs goal 1, targets 1,2 and 3.	competitiveness of enterprises and the inclusiveness of growth Outcome 3: Sustainable enterprises create productive and decent jobs	fostering domestic capabilities in areas such as physical infrastructure, production capacity and institutions supportive of private investment; Africa Mining vision programme cluster 8 (mining linkages)
CP outcome 3.3: Enhanced utilization of LMI for policy planning and implementation.	Indicator 3.3.1: Evidence of use of LMIS by policy makers for development of national development strategies Data source: Policies, Programmes and Strategies prepared and implemented with reference to LMI	Assumption: that LMI will be used for policy planning. Risk: LFS will not be conducted every 2 years (within DWCP cycle)	UNDAF Outcome 2 (Targeted populations in rural and urban areas attain sustainable livelihoods by 2015); SNDP policy measures on other key structural reforms related to infrastructure and growth sectors of ICT; MDG goal 8, target 6.	Outcome 1: More women and men have access to productive employment	Improved availability and quality of labour market information so as to enable the ILO, its constituents and development partners to

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
	Indicator 3.3.2: 2. Regular Labour Force Surveys to support implementation of the LMIS	Assumption: Government improvement in fiscal space will continue Risk: Treasury allocations not availed to conduct LFS every 2 years (within DWCP cycle)			evaluate progress on the African Decent Work Agenda and the achievement of the MDGs (DWAA 5.9)
	Data Source: MLSS; Government Budget				
CP priority 4: Strengthened Social Protection Systems including enhanced HIV and AIDS Work Place response					
CP outcome 4.1: Enhanced application of Social Security policies and laws in Zambia	Indicator 4.1.1: National Social Security Policy adopted;	Assumption: Social Security policies, programs and laws adopted Risk: Treasury allocations not availed to Social Security PLRF Assumption: Inspectorate strengthened to ensure application of Social Security PLRF Risk: Limited capacity of Labour inspectorate to ensure the application of Social Security PLRF	UNDAF Outcome 3.3 on Social Protection and SNDP Section on Social Protection with the objective: to effectively coordinate and provide social protection through empowering low capacity households, providing social assistance to incapacitated households and supporting various vulnerable groups. SNDP policy objectives on strengthening human resource management and reduce impact of HIV/AIDS on public service.	Outcome 4: More people have access to better-managed and more gender equitable social security benefits	Extended coverage and improved quality of social security schemes and programmes (DWAA Objective 4.1)
	Data source: Cabinet Minute approving the Policy				
	Indicator 4.1.2: Level of compliance to social security standards by pension schemes and employers				
	Data source: NAPSA				

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
CP outcome 4.2: Extension of social security coverage to the informal economy	Indicator 4.2.1: Number of people covered by social security in the informal economy (disaggregated by age and sex)	Assumption: Fiscal space created and Government committed extending social protection to the informal economy Risk: Treasury allocations not availed to Social Security PLRF	UNDAF Outcome 3.3 on Social Protection and SNDP Section on Social Protection with the objective: to effectively coordinate and provide social protection through empowering low capacity households, providing social assistance to incapacitated households and supporting various vulnerable groups. MDG goal 1 targets 1 & 3.	Outcome 4: More people have access to better-managed and more gender equitable social security benefits	Extended coverage and improved quality of social security schemes and programmes (DWAA Objective 4.1)
	Data source: National Pension Scheme Authority (NAPSA), Pensions and Insurance Authority, Workman's Compensation Authority etc.				
	Indicator 4.2.2: Number of social protection schemes created in the informal economy				
	Data source: Records from Ministry of Labour, Social Protection Platform of Zambia, NAPSA, Pensions and Insurance Authority, Workman's Compensation Authority etc.				
	Indicator 4.2.3: Design of a social pension approved				
	Data source: Approval Minute from the Ministry of Labour and Social Security				

Results	Indicators and data sources	Critical assumptions and risks	Link to UNDAF outcomes and national development plans	Link to P&B outcomes	Link to Regional Agenda
CP outcome 4.3: Increased access to HIV services by women and men workers in key economic sectors	Indicator 4.3.1: Number of workers who access HIV or related services disaggregated by type (VCT, prevention, education, care, treatment, economic services etc.	Assumption: National HIV and AIDS policy adopted by Cabinet Risk: Delayed processes in adopting the National HIV and AIDS policy	UNDAF Outcome 1 on HIV and AIDS for Mitigation and Cure and SNDP section on HIV/AIDS; MGD goal 6 Targets 1 &2.	Outcome 8: the world of work responds effectively to the HIV/AIDS epidemic	Effective policies in place at national, sectoral and enterprise level to combat HIV/AIDS through the world of work (DWAA Objective 4.2)
	Data source: ZFE, National AIDS Council, Ministry of Health, ZCTU				
	Indicator 4.3.2: Number of sectoral HIV and AIDS workplace policies adopted/implemented in line with ILO R200 of 2010				
	Indicator 4.3.3: HIV and AIDS issues mainstreamed in labour laws				
	Data source: Data source: Revised labour laws				

ANNEX 3: CURRENT ILO PROJECTS/ PROGRAMMES IN ZAMBIA

Project title	End date
ACP TACKLE project	31-Aug-13
Country and global programmes respond effectively to HIV and AIDS in the world of work including social protection coverage in informal sector	31-Dec-13
Law-Growth Nexus II: Labour Law and the Enabling Business Environment for SMEs in Kenya and Zambia	31-July-13
Making decent work a reality for domestic workers in Zambia	31-Dec-13
Gender Mainstreaming in the ILO-Sweden partnership Agreement in Zambia	31-Dec-13
Support to the National Plan of Action of the National Youth Policy, Zambia	31-Dec-13
A Programme to reduce the worst forms of child labour in tobacco-growing communities in Zambia	30-Sep-15
Promoting Rights and Equality for People with Disabilities through Legislation	31-Dec-13
UN Joint Programme on Enhancing Competitiveness and Sustainable Business among MSMEs in the Building Construction Industry in Zambia – Implementation Phase	31-Aug-2016
Joint UN Programme on gender Based Violence in Zambia	31-Dec-16
Combating Forced Labour and Human Trafficking in Zambia II	31-Dec-13
Economic Empowerment and HIV Vulnerability Reduction Project (Along Transport Corridors of Southern Africa)	31-July-14
UN Joint Programme on “Decent Jobs for Youth and Improved Food Security through Rural Enterprise Development”-Inception Phase	31-Dec-2014
Building National Floors of Social Protection in Southern	31-Dec-2016

Memorandum of Understanding
Between the Government of the Republic of Zambia
and
Representative Workers' and Employers' Organizations
and
The International Labour Organization,
represented by the International Labour Office (ILO)

Emanating from the good relations between the Government of Zambia and Representative Workers' and Employers' Organizations, and the International Labour Organization;

Whereas the ILO cooperates with its member States in order to achieve the principles and objectives set forth in its Constitution as an international organization;

Whereas the ILO and the tripartite constituents in Zambia (Government, Employers and Workers) desire to strengthen the technical cooperation and to work together to achieve the objectives of the attached Decent Work Country Programme prepared for the purpose;

The Government of the Republic of Zambia and the social partners, on one side, and the International Labour Organization, on the other side, hereby reach the following understanding:

Paragraph I

To cooperate for the implementation of the Decent Work Country Programme annexed to this Memorandum in accordance with the ILO's strategic objectives, with the view to enhance the capacities of each of the tripartite constituents in Zambia to achieve these objectives.

Paragraph II

The ILO avails itself to provide the necessary technical support to implement this programme, and to undertake together with the tripartite-plus constituents efforts to raise funds for the financing of its activities.

Paragraph III

The programme will be implemented in the period 2013 – 2016 starting from the date of the signature of this Memorandum of Understanding. The programme will be reviewed in accordance with the provisions of the document related to monitoring and evaluation.

The decision to extend the programme in case of incompleteness of its implementation will be made in accordance with these provisions.

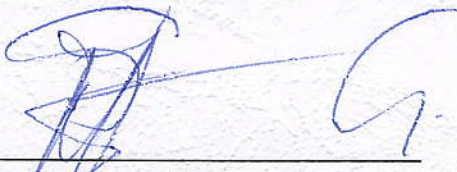
Paragraph IV

Nothing in or relating to this Agreement shall be construed as constituting a waiver of the privileges and immunities enjoyed by the ILO.

Paragraph V

This Memorandum of Understanding is done in five original copies in English, all texts being equally authentic.

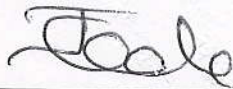
This Memorandum of Understanding is signed on 11 December 2013, in Lusaka, Zambia



*For and on behalf of
the Government of the Republic
of Zambia
Hon. Minister of Labour and Social
Security Fackson Shamenda*



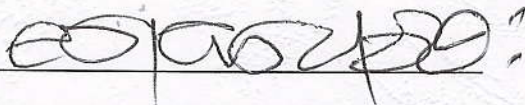
*For and on behalf of
The International Labour
Organization,
Director General
Mr. Guy Ryder*



*For and on behalf of the Workers'
Organization
Federation of Free Trade Unions of Zambia
(FFTUZ)
President
Ms. Joyce Nonde Simukoko*



*For and on behalf of the
Workers' Organization,
Zambia Congress of Trade
Unions (ZCTU)
President
Mr. Leonard Hikaumba*



*For and on behalf of the Employers' Organization
Zambia Federation of Employers
(ZFE)
President
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